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ABSTRACT

In 1997, Maryland formed the Task Force on Education Funding Equity, Accountability, and Partnerships. The group made a comprehensive review of education funding and programs in grades K-12 to ensure that students throughout Maryland have an equal opportunity for academic success. The task force's final report features the membership roster, the status of the task force's interim recommendations, and successful 1998 legislative initiatives, such as limited-English-proficiency grants, targeted-improvements grants, a teacher development program, a professional development program, school library programs, school construction in Prince George's County, and other measures. Initiatives needing continued support, as well as areas requiring further study, such as a student-enrollment count methodology and employment of retired teachers, are also detailed. The bulk of the report is contained in six appendices, which provide the full text for various house bills, including school accountability funding for excellence; Prince George's County school construction; workers' compensation--students in unpaid work-based-learning experiences; and the scholarship program for prospective teachers. Some approaches for determining student enrollment and distributing education aid to local school systems, and a summary of recommendations and responses by the Maryland State Department of Education are also provided. (RJM)

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Task Force on Education Funding Equity, Accountability, and Partnerships

Final Report

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Annapolis, Maryland
July 1998

EA 029 428

Task Force on Education Funding Equity, Accountability, and Partnerships

Final Report

Annapolis, Maryland
July 1998

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Task Force on Education Funding Equity, Accountability, and Partnerships

July 1998

The Honorable Parris N. Glendening
Governor, State of Maryland

The Honorable Casper R. Taylor, Jr.
Speaker, Maryland House of Delegates

Gentlemen:

On behalf of the Task Force on Education Funding Equity, Accountability, and Partnerships, I respectfully submit this final report.

In July1997, you appointed this 28-member task force and charged us with undertaking a comprehensive review of education funding and programs in grades K-12 to ensure that students throughout Maryland have an equal opportunity for academic success. One of the main goals was to determine if inequities or gaps exist in funding programs earmarked for Maryland students who are believed to be "at risk" of failing in school. Further, we were asked to look at current accountability systems to provide assurances to the General Assembly and the public that school systems and school leaders are held accountable for meeting appropriate educational and fiscal standards. Finally, we were asked to examine if the State can better leverage the money it currently spends and make use of all available public and private resources.

In January of this year, we submitted a number of recommendations to you for consideration during the 1998 legislative session. The majority of our recommendations, I am pleased to report to you, were incorporated in House Bill 1, now Chapter 565 of the Acts of 1998. A detailed description of this Act is included in this report. Further, House Bill 657, now Chapter 704 of the Acts of 1998, increased State assistance for Prince George's County school construction, another priority of this task force. We are pleased with these legislative accomplishments and commend you for your leadership and assistance in seeing these bills passed.

In addition to these legislative initiatives, the Maryland State Department of Education has made progress on implementing a number of other task force recommendations. A description of the department's progress and future plans is also included in this report.

While successful in a number of areas, task force members were disappointed in the failure of two legislative initiatives. One would have amended the Workers' Compensation Act to apply to students who engage in unpaid learning experiences (HB 177), while the other would have established a scholarship program for prospective teachers (HB 732). Task force members strongly encourage the reintroduction of both of these bills and ask for your active support to ensure their passage.

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Finally, task force members strongly encourage the formation of a Blue Ribbon Commission to further examine education funding in Maryland. Broad details of the commission's proposed structure and focus are included in this report.

When coupled with January's preliminary report and the two volume technical supplement, this final report represents an intensive study of our charge. Task force members are rightfully proud of their efforts and pleased with the success of many of their recommendations. We thank you for your leadership and support throughout our deliberations.

Sincerely,

Gene Counihan

Gene Counihan
Chairman

CC/JFW/msh

cc: President Thomas V. Mike Miller, Jr.
Members of the Maryland General Assembly

Task Force on Education Funding Equity, Accountability, and Partnerships

1998 Interim Membership Roster

Mr. Gene Counihan, **Chairman**
Mr. Timothy F. Maloney, **Subcommittee Chair, Funding**
Mr. Lawrence A. Shulman, **Subcommittee Chair, Public/Private Partnerships**
Ms. Rosetta Kerr Wilson, **Subcommittee Chair, Accountability**

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Mr. Barry Campbell
Delegate James W. Campbell
Delegate Norman H. Conway
Delegate Jean Cryor
Delegate Michael J. Finifter
Ms. T. Eloise Foster
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Dr. Nancy Grasmick
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Mr. John C. Sprague
Mr. Garland Williamson
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Status of Task Force's Interim Recommendations

	Recommendation	Final Status	Fiscal Impact
1.	Establish a new categorical grant program for students living in poverty based on the number of students receiving free and reduced price meals and local wealth. **(Targeted Improvement Grant - pg. 52)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1 (Chapter 565 of the Acts of 1998). As recommended by the task force and originally introduced, Baltimore City would have received only 50% of its formula allocation. This limitation was removed in the final version of House Bill 1; however, funds were not included to cover this cost in the fiscal 1999 budget.	$16.3 million - Task Force $20.6 million - Final Bill
2.	Increase the current LEP grant from $500 to $1,350 per LEP student and repeal the current two-year restriction on students receiving LEP funding. **(Limited English Proficiency Grant - pg. 53)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1.	$15.3 million
3.	Establish a statewide teacher development program for schools with a free or reduced price meal count of 25% or more of their student population. Each eligible school will receive an $8,000 grant to enhance teacher development. In addition, Baltimore County will receive an additional $5 million to enhance its current teacher mentoring program. **(Professional Development Programs - pg. 53)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1. House Bill 1 was amended to provide Prince George's County with $2 million for a teacher mentoring program; however funds were not included to cover this cost in the fiscal 1999 budget.	$10.5 million - Task Force $12.5 million - Final Bill
4.	The Maryland State Department of Education and local school systems should expand existing professional development programs for school-based administrators and develop new programs that would assist these individuals in dealing with "at-risk" students. **(Professional Development Programs - pg. 54)**	On-going.	Indeterminate

	Recommendation	Final Status	Fiscal Impact
5.	Expand the Extended Elementary Education Program by an additional 24 sites statewide and increase the level of funding for 204.5 existing sites. **(Extended Elementary Education Program - pg. 54)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1. In addition, State funds are available through the Public School Construction Program for renovations and/or additions to provide classroom space for pre-Kindergarten programs.	$4.4 million
6.	Supports the accountability framework provided for in the Targeted Improvement Program. **(TIP Accountability Measures - pg. 55)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1.	No Impact
7.	Provide MSDE with additional funding in order to improve the department's information processing capabilities for tracking and measuring the impact of additional aid and staff at poor performing schools. **(TIP Accountability Measures - pg. 55)**	The fiscal 1999 State budget includes $4,029,559 in additional funding in order for MSDE to improve its information processing capabilities.	$4 million
8.	Codify the Targeted Improvement Program in statute and have it sunset in four years. **(Codify Targeted Improvement Program - pg. 56)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1.	No Impact
9.	Include a maintenance of effort and nonsupplantation provision in any legislation providing additional targeted aid to local school districts. **(Maintenance of Effort Provision - pg. 56)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1.	No Impact
10.	Reaffirm the State's constitutional commitment to provide all students in the State with a thorough and efficient education independent of the outcomes of any litigation. **(Prince George's County Public School Proposals - pg. 61)**		N/A

	Recommendation	Final Status	Fiscal Impact
11.	Endorses MSDE's concern with the Prince George's County Board of Education's Community School Education Plan. **(Prince George's County Public School Proposals - pg. 62)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 657. This bill provides for the State Superintendent of Schools to review and approve each school construction project for consistency with practices and strategies that result in improved student achievement and academic and social success before the projects are released for bidding.	N/A
12.	Endorses MSDE's recommendation to redirect $14.1 million in State funding currently earmarked for Prince George's County's magnet school program to support research-proven intervention strategies in the county and to provide an additional $2 million in State funds for magnet and other effective schools. **(Prince George's County Public School Proposals - pg. 64)**	Provision was adopted in House Bill 1 to allow funds to be directed to support magnet or other effective school programs.	$2 million
13.	Endorses MSDE's recommendation to provide Prince George's County with $1 million in new State funds for a pilot integrated student support services program and $3 million to assist provisional teachers in becoming fully certified and to establish teacher mentor programs. **(Prince George's County Public School Proposals - pg. 64)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1. Of the $3 million, $2.5 million is for Prince George's County and $0.5 million is for the other jurisdictions for provisional teacher certification and teacher developmental initiatives. In addition, House Bill 1 was amended to provide Prince George's County with $2 million for a teacher mentoring program.	$4 million

	Recommendation	Final Status	Fiscal Impact
13a	Recommends that the General Assembly and Board of Public Works examine the accountability and academic performance issues as part of any increased operating or capital funding commitments to the Prince George's County Public Schools. The task force believes that funding and accountability issues cannot be separated, and that any new funding commitments should be accompanied by appropriate accountability measures. **(Prince George's County Public School Proposals - pg. 67)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1.	N/A
14.	Conduct a performance audit of the Prince George's County Public School System. The State will share one-third of the cost of the audit not to exceed $200,000. The State should not contribute its share until the Management Oversight Panel is appointed. **(Prince George's County Public School Proposals - pg. 67)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1. The fiscal 1998 State budget included $200,000 to cover the State portion of the audit.	$200,000
15.	Establish a Management Oversight Panel for the performance audit of the Prince George's County Public School System jointly appointed by the Governor, Prince George's County executive, and Prince George's County Board of Education chairman from a list of qualified individuals submitted by the State Board of Education and State superintendent of schools. The panel must be appointed by February 1, 1998. **(Prince George's County Public School Proposals - pg. 67)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1. State funds of $210,000 will be provided for a coordination office, though funds for this purpose were not included in the fiscal 1999 budget. The Management Oversight Panel was appointed in May 1998.	$210,000
16.	Task force notes that after reviewing the needs of Prince George's County for school construction, Dr. Stenzler concluded that annual requests of $25 million to $35 million from Prince George's County would not be unreasonable. **(School Construction - pg. 70)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 657. In addition, the Board of Public Works allocated $35 million in public school construction funding for Prince George's County in fiscal 1999.	N/A

	Recommendation	Final Status	Fiscal Impact
16a	Task force endorses $200 million for school construction in fiscal 1999, an increase of $59 million in Paygo funds over the amount previously indicated, and an amount supported by the Governor, House leadership, and county executives. **(School Construction - pg. 69)**	The Board of Public Works approved $225 million in total funding for the Public School Construction Program for fiscal 1999.	No operating budget impact
17.	Establish the Supplemental Aging School Program. **(School Construction - pg. 73)**	Provision was implemented during the 1998 legislative session through the enactment of House Bill 1. Applications for funding for fiscal 1999 are being processed by the Interagency Committee on School Construction.	$6.0 million
18.	Supports the concept of multiple usage of schools and libraries. Requests the Interagency Committee on School Construction to report back to the task force with recommendations for the promotion of multiple use of local facilities. **(School Construction - pg. 75)**	Provision was implemented for Prince George's County during the 1998 legislative session through the enactment of House Bill 657. In addition, the Board of Public Works approved an amendment to the Rules, Regulations, and Procedures which increases the State's commitment to encourage cooperative arrangements in public school buildings. It also provides for State funding through the Public School Construction Program of up to 3,000 square feet of space to support recreational, health, and other community programs to serve school children and other community members.	No Impact
19.	The Task force endorses MSDE moving forward with regulatory proposals to address provisional teacher certification issues. **(Certification and Mentoring of Teachers - pg. 76)**	The State Board has granted permission to publish proposed changes to address issues regarding provisional certificates. The State Board and the Professional Standards and Teacher Education Board will render a final decision on proposed changes later in 1998.	Indeterminate
20.	MSDE should establish a statewide comprehensive program to address the large number of teachers with provisional certification. **(Certification and Mentoring of Teachers - pg. 76)**	House Bill 1 provides funding to support provisional teacher certification and teacher development initiatives in Prince George's County ($2,500,000) and statewide ($500,000). The Maryland State Department of Education is developing guidelines that will be used to distribute the funds.	Indeterminate

	Recommendation	Final Status	Fiscal Impact
21.	The State Scholarship Administration should evaluate reestablishing the tuition scholarship program for candidates to become teachers in Maryland public schools. **(Certification and Mentoring of Teachers - pg. 76)**	House Bill 732 - *Scholarship Program for Prospective Teachers* failed during the 1998 legislative session. MSDE will support legislation relative to this recommendation at the 1999 legislative session.	Indeterminate
22.	Each local school system should consider implementing a teaching mentoring program. **(Certification and Mentoring of Teachers - pg. 79)**	House Bill 1 provides funding to support a pilot teacher mentoring program in Baltimore County ($5,000,000) and Prince George's County ($2,000,000). Information about the Baltimore County pilot program must be shared with other school systems. Funding for the Prince George's County program was not included in the fiscal 1999 budget.	Indeterminate Impact on local funds
23.	Supports continued advocacy and State support for professional development initiatives and requests that MSDE study the professional development issues raised by the task force and report its recommendations to task force by June 1, 1998. **(Professional Development - pg. 80)**	In 1996, the State Board endorsed a plan including Regional Professional Development Networks. The fiscal 1999 grants to support the networks support implementing Core Learning Goals/Skills for Success.	No Impact
24.	MSDE should convene a study group of interested parties to examine the process of evaluating professionally certificated personnel and the feasibility of linking the performance of principals to the performance of their schools and the performance of teachers to the performance of their students. **(Professionally Certificated Personnel Accountability for Student Performance - pg. 81)**	Baltimore City, and Baltimore and Anne Arundel Counties are pursuing efforts to link administrative and teacher evaluations with school-student performance. MSDE will monitor these efforts for possible statewide use.	No Impact
25.	MSDE should create a study group to examine the issues surrounding financial accountability and report its recommendations to the task force after the 1998 legislative session. **(Financial Accountability - pg. 82)**	MSDE is examining the issue of financial accountability and is considering incorporating this study group into a current committee that is looking at student enrollment.	No Impact

	Recommendation	Final Status	Fiscal Impact
26.	Governor and the General Assembly should continue to publicly support the Maryland School Performance Program (MSPP) and provide financial resources for the program to ensure adequate funding. **(Maryland School Performance Program - pg. 83)**	Such support continues. Funding has enabled MSDE to improve its parent and community outreach programs for MSPAP and to enhance the use of technology and existing staff.	No Impact
27.	MSDE should seek assurances from each local education agency (LEA) that the school system is taking action to improve low performing schools that are continuing to decline on MSPP performance indicators. **(Maryland School Performance Program - pg. 83)**	MSDE is focusing its resources and efforts on school performance improvements.	No Impact
28.	MSDE should expand regulations to require local school systems to use MSPP data to guide school level change in school improvement plans. In addition, MSDE should require each LEA to report the overall system report card to its citizens and ensure that each school provide copies of its MSPP report card to the parents and guardians of the school's students. **(Maryland School Performance Program - pg. 83)**	Current regulations require schools to use MSPP data and other information about schools to develop school improvement plans, and school improvement teams include school and community membership. Current regulations also require school systems and individual schools to release MSPP report cards to parents and the community .	No Impact
29.	MSDE should develop regulations requiring all schools, not just reconstitution eligible schools, to evaluate their school improvement plans on an annual basis. In addition, local school systems should target resources to schools to meet the needs identified in school improvement plans. **(Maryland School Performance Program - pg. 84)**	State guidelines provide for each school improvement plan to cover one year and build on previous plans. Thus, school improvement teams are required to evaluate the previous year's plan in order to write the current plan. State guidelines emphasize the role of the school system in supporting individual school improvement through staff development and resource management. Each school improvement plan includes descriptions of school system support. Local schools and school systems currently use MSPP data in funding allocation decisions.	No Impact

	Recommendation	Final Status	Fiscal Impact
30.	Task Force believes that MSDE needs additional funding in order to provide the necessary support for school improvement to the local school systems. Adequate resources should also be provided to the department to implement the Internet technology that is being designed by MSDE and the University of Maryland. **(Maryland School Performance Program - pg. 84)**	MSDE's fiscal 1999 budget includes additional funding to enhance its technology infrastructure.	Indeterminate
31.	Use private-sector expertise to evaluate local school system's administrative, logistical, and planning processes. **(Partnerships - pg. 87)**	On-going.	No Impact (cost of evaluation would be absorbed by the corporate partners)
32.	Encourage each local school system to identify a corporate education specialist or partnership coordinator to facilitate the development of public/private partnership. **(Partnerships - pg. 88)**	On-going.	Indeterminate Impact on local funds. School systems may be able to use existing staff for this position.
33.	Encourage private-sector employees to work as teaching assistants to provide additional classroom assistance to students. **(Partnerships - pg. 90)**	On-going. MSDE is considering a teaching opportunities information brochure to be distributed to private corporations.	Indeterminate
34.	Produce a ten-year technology and workforce assessment of the skills needed by high school graduates to succeed in the workplace of the future. **(Partnerships - pg. 92)**	Several surveys have been conducted, including a baseline technology inventory by MSDE and the Employers' Workforce Skills Development and Workforce Preparedness Survey. Another workforce survey will be conducted in 1999.	Indeterminate

	Recommendation	Final Status	Fiscal Impact
35.	Identify a private-sector partner to develop and manage a web page of private-sector continuing education programs available at no cost to teachers and school administrators. **(Partnerships - pg. 94)**	Discussions regarding the feasibility and desirability of this concept are taking place.	No Impact
36.	Establish an annual statewide forum for educators and business leaders to showcase ideas for developing partnerships. **(Partnerships - pg. 95)**	On-going. MSDE and Bell Atlantic are discussing a *What Works in Partnerships Forum* to showcase partnership development and implementation and their impact on educational improvement.	Indeterminate
37.	Enhance the role of the Teacher of the Year by providing additional opportunities for the person. **(Partnerships - pg. 96)**	Ongoing. The current program does not release the Maryland Teacher of the Year from the classroom, but does involve the teacher in many presentations and workshops throughout the year.	Indeterminate
38.	Supports legislation amending the Workers' Compensation Act to apply to students who engage in unpaid learning experiences. **(Partnerships - pg. 97)**	House Bill 177, which would have provided workers' compensation coverage for students in unpaid work-based learning experiences, failed during the 1998 legislative session.	Minimal Increase
Combined fiscal effect of task force's recommendations:			**$62.7 million - Task Force Recommendations** **$69.2 million - Final Action for Fiscal 1999***

*The difference includes $4.3 million for Baltimore City targeted improvement grants; $2 million for Prince George's County Teacher Mentoring Program; and $210,000 for the Prince George's County Coordination Office.

Prepared by the Department of Legislative Services, June 1998

Successful 1998 Legislative Initiatives

Introduction

At the beginning of the year, the task force submitted its preliminary report which formed the basis of the School Accountability Funding for Excellence Legislation (House Bill 1, Chapter 565 of the Acts of 1998). This legislation, enacted by the General Assembly during the 1998 legislative session, will provide local school systems with an additional $67.8 million in fiscal 1999. The task force also raised concerns pertaining to the State's commitment for public school construction. These concerns were subsequently addressed through the inclusion of $225 million in the State budget for school construction projects, the second largest amount ever provided in a given year and the largest amount in 25 years. They were also addressed in House Bill 657 (Chapter 704 of the Acts of 1998), which provides Prince George's County with $35 million in State funding for school construction projects annually over the next four years. The following provides an in-depth discussion of the status of the task force's recommendations.

Enhanced Funding for At-Risk Students

Basis for House Bill 1

Nearly one million students attend public schools across Maryland, with a large portion of these students being "at-risk" of not performing at a high academic level. Conceptually, "at-risk" students can be defined as those students who, while not necessarily poor, face significant obstacles to achieving academic success. This includes students from low income families and possessing limited English proficiency skills. Other factors may include attending schools that have a large proportion of inexperienced teachers or being from highly mobile families which move several times during a school year.

Approximately 31% of students enrolled in public schools in Maryland receive free and reduced price meals (FRPM), one of the best indicators of students "at-risk" of performing poorly in school. Further, in the last five years, the number of students receiving free and reduced price meals has increased by over 35%, whereas student enrollment has increased by only 11%. In addition, during this same period, the number of limited English proficient students (LEP) has increased by over 36%. These two indicators clearly show that a greater proportion of Maryland's student population is "at-risk" of not performing at a high standard. **Exhibit 1** shows the growth in the statewide "at-risk" population since 1990.

Exhibit 1

Student Enrollment Growth Rates

Fiscal Year	Total Enrollment*	% Change	FRPM Count	% Change	LEP Count	% Change
1990-91	700,816	2.1%	161,856	4.9%	12,257	22.2%
1991-92	720,671	2.8%	187,151	15.6%	11,764	-4.0%
1992-93	735,769	2.1%	206,122	10.1%	12,076	2.7%
1993-94	753,379	2.4%	227,942	10.6%	13,951	15.5%
1994-95	772,104	2.5%	239,938	5.3%	14,305	2.5%
1995-96	786,452	1.9%	249,469	4.0%	15,104	5.6%
1996-97	798,944	1.6%	253,010	1.4%	16,035	6.0%

*Does not include pre-kindergarten students

The free and reduced price meal (FRPM) count is based on the actual number of students participating in the federal school breakfast and lunch program. Program eligibility is determined by household income, with children being eligible for free meals if their household income is below 130% of the federal income poverty level. Children are eligible for reduced price meals if their household income does not exceed 185% of the federal income poverty level.

The limited English proficiency count measures the number of students who speak English as a secondary language. This includes students born outside of the United States or whose native language is not English; students who come from an environment where a language other than English is dominant; and American Indian or Alaskan native students who come from an environment where a language other than English has had a significant impact on their level of English proficiency.

The academic performance of "at-risk" students has become evident through analyzing the results of the *Maryland School Performance Report*. Since 1993, overall student performance on the State functional tests has increased, with student attendance rates increasing and dropout rates decreasing. Further, more school systems had 40% or more of students at the satisfactory level on the Maryland School Performance Assessment Program (MSPAP) in 1996 than in 1993. However, while many students

are performing at a higher level, a large number of students are still a considerable distance from meeting Maryland's academic performance standards. According to a report from the Maryland State Department of Education (MSDE), a majority of these students are from poor families, are limited English proficient, or are from families that are highly mobile. While the State historically has provided significant amounts of funding for programs serving "at-risk" students, there still remain groups of students who need additional assistance to achieve the State's high academic standards. This is especially true of students who receive Title 1 and other compensatory education services in the elementary grades, but are not provided the supplemental support when they graduate to middle and high school. These concerns formed the basis for many of the task force's recommendations embodied in House Bill 1 as introduced.

Components of House Bill 1

House Bill 1 establishes the School Accountability Funding for Excellence Program, which provides additional targeted State funding for education programs serving "at-risk" students. Specifically, the Act (1) establishes a new targeted improvement grant, elementary school library grant, and teacher development program; (2) enhances State funding for the limited English proficiency, aging schools, and extended elementary education programs; and (3) provides Prince George's County with additional funding for effective schools, a pilot integrated student support services project, and teacher development initiatives. To receive these funds, each local school system must submit to the Maryland State Department of Education (MSDE) a comprehensive plan outlining ways to increase the performance of at-risk students. The Act also includes a non-supplantation provision. The Act takes effect July 1, 1998, and sunsets June 30, 2002. An analysis of the various funding components of the Act are set forth below.

Limited English Proficiency Grants

The Act increases the current limited English proficiency (LEP) grant from $500 to $1,350 per LEP student and repeals the current two-year restriction on students receiving LEP funding. Based on current estimates, there are 16,035 LEP students in the State, with 12,640 receiving services for less than two years. Accordingly, the State provides no funding for approximately 22% of students identified as having limited English proficiency through the statutory formula. The State provided local school districts with $1.9 million in fiscal 1998, as part of the Baltimore City School legislation (Senate Bill 795, Chapter 105 of the Acts of 1997), to cover expenses for LEP students affected by the two-year restriction. The limited English proficiency grant proposal will cost approximately $15.3 million in fiscal 1999 and increase to $15.9 million by fiscal 2002.

Targeted Improvement Grants

The Act establishes a new categorical grant program (targeted improvement grants) for students living in poverty. Targeted improvement grant funding is based on 85% of the number of children eligible for free and reduced price meals for the second prior fiscal year multiplied by 2.5% of the per pupil foundation under the basic current expense program. Each county's initial allocation is adjusted by a factor relating each county's wealth per full-time equivalent student to the statewide wealth per student. As originally introduced, Baltimore City would have received only 50% of its formula allocation; however, this limitation was removed in the final legislation. The targeted improvement program grant will cost approximately $20.6 million in fiscal 1999 and increase to approximately $23 million by fiscal 2002. However, the Governor has not included funds in the fiscal 1999 State budget to cover the additional costs associated with the Baltimore City provision. This results in a $4.3 million funding shortfall, which may be handled with a deficiency appropriation. Funding is required to be included in the fiscal 2000 through 2002 budgets.

Teacher Development Program

The Act provides funds to enhance teacher development programs in schools with a free or reduced price meal count of 25% or more of their student population. Each eligible school will receive an $8,000 grant to enhance teacher development in dealing with at-risk students. In addition, Baltimore County will receive an additional $5 million to enhance its teacher mentoring program. The original legislation was also amended to provide Prince George's County with $2 million to fund a teacher mentoring program. In sum, the teacher development program will cost approximately $12.5 million in fiscal 1999. However, the Governor has not included funds in the fiscal 1999 State budget to cover the $2 million teacher mentoring grant for Prince George's County.

Professional Development Program

The Act requires, to the extent that funds are available, the Maryland State Department of Education and local school systems to expand existing professional development programs for school-based administrators and principals and to develop new programs to assist these individuals in dealing with "at-risk" students.

Extended Elementary Education Program

The Act provides an additional $4.4 million in funding for the Extended Elementary Education Program (EEEP). This would establish 24 additional sites statewide, increase funding for 204.5 existing sites to a level of $65,000 per site, and provide $1 million in grants to local school districts to address early intervention strategies for four-year old children whose needs are not fully met by the existing program.

School Library Programs

The Act requires the Governor to include $3 million in the State's annual budget for school library grants for the purpose of enhancing elementary school library programs. As a condition to receive these grants, each local board of education must match the State grant with new local funds.

Aging School Program

The Act provides $6.02 million in additional funding for the Aging School Program, which was established as part of Senate Bill 795 of 1997. That legislation provided $4.35 million annually and identified specific allocations for each of the 24 jurisdictions for a five-year period (through fiscal 2002). The funds were distributed based on a formula which took into account the percentage of pre-1960 square footage in each school system. The Board of Public Works adopted regulations to implement the program, and the Interagency Committee on Public School Construction administers the program as part of the Public School Construction Program.

Prince George's County Programs

The Act provides $5.5 million in State funding for specific programs in Prince George's County. This includes $2 million for the effective schools program, $1 million for a pilot integrated student support services project, and $2.5 million for provisional teacher certification and teacher development initiatives.

Prince George's County School Management Initiatives

The Prince George's County Board of Education is required to submit an annual plan to MSDE on the use of State funds for effective schools programs and the magnet schools program. A performance audit of the county's school system must be conducted,

with the State providing one-third of the total cost up to $200,000. The fiscal 1998 State budget includes $200,000 for the State's share of the audit costs. In addition, a Management Oversight Panel must be established to monitor the progress of the performance and financial audits and the implementation of the audits' recommendations for a four-year period. The Management Oversight Panel would be staffed by a newly created coordination office. The State would be responsible for funding the coordination office up to a maximum of $210,000 each year. However, the Governor has not included funds in the fiscal 1999 budget to cover this cost, though it may be handled through a deficiency appropriation.

Provisional Teacher Certification

The Act also provides $500,000 for statewide provisional teacher certification and teacher development initiatives, except for Prince George's County which is receiving $2.5 million for this purpose.

Comprehensive Plan

To receive any of the funding provided in this legislation, except the school library and additional aging school funding, each local school system must submit to the Maryland State Department of Education a comprehensive plan on ways to increase the performance of at-risk students. The plan must integrate funding from different programs targeting at-risk students in order to deliver a more comprehensive and coordinated program. Each comprehensive plan must include a description of the measures that will be used and the process by which data will be collected and evaluated to measure change in student learning and other educational performance attributable to the School Accountability Funding for Excellence Program funds. Each local school system must also submit semi-annual progress reports to the Maryland State Department of Education.

Non-Supplantation Provision

The Act includes a non-supplantation provision that prohibits local school systems from using the additional State funds provided in the School Accountability Funding for Excellence (SAFE) program to supplant existing education funding for at-risk programs. However, to the extent that a local school system achieves the intended funding level in a particular targeted program for students at risk, the local school system may divert funds to another targeted program if such program is identified in the school system's comprehensive plan and approved by the Maryland State Department of Education.

Fiscal Impact of House Bill 1

This Act provides an additional $67.8 million in State funding to local school districts, with most of the funding being targeted to programs designed to increase the academic performance of at-risk students. In addition, State expenditures would increase by $210,000 for the costs of staffing the Prince George's County Management Oversight Panel. The fiscal 1999 State budget includes $61.5 million for the SAFE program, $6.5 million less than required by the bill. This funding shortfall is a result of amendments added to the original legislation that provided Baltimore City with $4.3 million in additional targeted improvement grant funding, Prince George's County with an additional $2 million for teacher mentoring programs, and $210,000 for the Management Oversight Panel. The Governor is not required to include this additional funding until fiscal 2000, but could submit a fiscal 1999 deficiency appropriation at the 1999 legislative session. A county-by-county breakdown of additional State aid in fiscal 1999 is shown in **Exhibit 2**. Accordingly, State expenditures would increase by $68.0 million in fiscal 1999 and by $71.3 million by fiscal 2002, as shown in **Exhibit 3.**

School Construction and Prince George's County

The Prince George's County Public School System has been under a court order for 25 years to desegregate its schools. A trial began in federal court in November 1997 to consider motions to end or modify court ordered desegregation remedies. The parties to the case are the Prince George's County School Board, the county government, and the NAACP. In March 1998, the parties reached an agreement to end court ordered busing and settle the lawsuit. The agreement, outlined in a memorandum of understanding, calls for the State to provide Prince George's County with at least $35 million in annual school construction funding and the county to provide at least $32 million each year for fiscal 1999 through 2002. The additional funding would assist Prince George's County in constructing neighborhood schools in communities where existing schools were closed due to desegregation efforts.

Recognizing the importance of ending court ordered busing and providing neighborhood schools for all children in Prince George's County, the task force concluded that annual requests of $25 million to $35 million in State school construction funding from Prince George's County would not be unreasonable. In addition, the task force recommended that the State provide $200 million in funding for public school construction projects throughout the State in fiscal 1999. Both of these recommendations were implemented by the General Assembly during the 1998 legislation session.

The General Assembly addressed school construction funding for Prince George's County by enacting House Bill 657. This Act requires the State to provide Prince George's County with $35 million each year in school construction funding for

Exhibit 2

School Accountability Funding for Excellence - HB 1

Additional State Funding for Local School Systems - Fiscal Year 1999

County	TIG**	LEP	EEEP	EEEP 4-Year Olds	Teacher Development**	School Libraries	Aging Schools	Other*	Total Funding	Total Funds Per FTE
Allegany	$528,766	$4,250	$57,541	$18,315	$192,000	$40,266	$205,000	$0	$1,046,138	$99.85
Anne Arundel	613,020	439,150	200,241	67,765	232,000	268,456	330,000	0	2,150,632	30.79
Baltimore City	8,656,434	511,350	694,491	219,779	1,392,000	380,390	1,515,000	0	13,369,444	135.08
Baltimore	1,517,801	1,197,800	100,759	62,270	5,584,000	376,316	1,190,000	0	10,028,946	102.43
Calvert	131,928	15,300	143,029	23,810	8,000	53,740	40,000	0	415,807	29.74
Caroline	268,570	61,700	51,770	16,484	64,000	20,218	50,000	0	532,742	101.27
Carroll	188,470	67,900	14,270	9,158	48,000	98,518	205,000	0	631,316	24.63
Cecil	286,108	30,200	162,011	42,125	80,000	55,039	205,000	0	860,483	60.09
Charles	352,523	71,600	144,439	54,945	96,000	78,281	40,000	0	837,788	41.13
Dorchester	205,025	32,400	70,036	21,978	72,000	18,382	40,000	0	459,821	96.14
Frederick	359,543	126,900	180,082	42,125	80,000	125,881	50,000	0	964,531	29.45
Garrett	187,450	0	36,312	16,484	120,000	19,170	50,000	0	429,416	86.09
Harford	502,561	135,900	174,311	40,293	128,000	139,416	220,000	0	1,340,481	36.95
Howard	203,756	810,850	72,500	12,821	24,000	147,977	40,000	0	1,311,904	34.07
Kent	60,062	30,550	55,541	14,652	56,000	10,197	40,000	0	267,002	100.64
Montgomery	1,058,962	7,037,650	313,759	65,933	568,000	453,584	660,000	0	10,157,888	86.07
Prince George's	3,961,390	4,254,300	336,226	91,575	3,088,000	463,151	550,000	5,500,000	18,244,642	151.40
Queen Anne's	70,236	20,350	59,426	18,315	32,000	23,544	50,000	0	273,871	44.71
St. Mary's	283,822	59,800	261,134	45,788	96,000	52,289	50,000	0	848,833	62.39
Somerset	184,870	31,850	39,729	14,652	72,000	11,060	40,000	0	394,161	136.97
Talbot	44,239	28,950	20,541	14,652	48,000	16,384	95,000	0	267,766	62.81
Washington	464,220	153,650	103,416	31,136	200,000	72,645	110,000	0	1,135,067	60.05
Wicomico	429,573	166,650	22,541	40,293	128,000	50,492	205,000	0	1,042,549	79.36
Worcester	86,336	38,200	51,656	14,652	80,000	24,604	40,000	0	335,448	52.40
Unallocated								500,000	500,000	
Total	$20,645,665	$15,327,250	$3,365,761	$1,000,000	$12,488,000	$3,000,000	$6,020,000	$6,000,000	$67,846,676	$86.92

TIG = Targeted Improvement Grant; LEP = Limited English Proficiency Grant; EEEP = Extended Elementary Education Program Grant

*Other includes $1 million in new State funds for an integrated student support services pilot program in Prince George's County and $2.5 million for a program to assist provisional teachers in becoming fully certified and to develop teacher development programs in Prince George's County. Prince George's County also receives $2 million in new funds for effective schools. $500,000 is provided for statewide provisional teacher certification and teacher development initiatives.

** Amendments to the original legislation provided Baltimore City with $4.3 million in additional targeted improvement grant funding and Prince George's County with an additional $2 million for teacher mentoring programs. The Governor did not include additional funds in the fiscal 1999 State budget to cover the costs of the bill's amendments. The fiscal 1999 State budget includes $26.8 million in funding for the TIG and teacher development program, $6.3 million less than required by the bill. The Governor is not required to include this additional funding until fiscal 2000, but could submit a fiscal 1999 deficiency appropriation at the 1999 legislative session.

Prepared by the Department of Legislative Services, April 1998

Exhibit 3

State Fiscal Impact in Fiscal 1999 to 2003

(In Millions)	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
GF Revenues	$0.0	$0.0	$0.0	$0.0	$0.0
GF Expenditures	68.0	69.2	70.2	71.3	0.0
Net Effect	($68.0)	($69.2)	($70.2)	($71.3)	$0.0

Note: ( ) - decrease; GF - general funds

fiscal 1999 through 2002. In addition, Prince George's County must provide at least $32 million for school construction projects. The State would be responsible for 75% of eligible project costs for the first $35 million in public school construction costs with the county funding 25% of eligible project costs and 100% of noneligible project costs. At least $20 million of the State funds must be spent each year on neighborhood school projects. For funding above $35 million, the State would pay 60% of eligible costs. Under the current State formula, the State pays for 60% of eligible project costs with the county funding 40% of eligible project costs and 100% of noneligible project costs. The Board of Public Works on May 13, 1998 approved an amendment to the Rules, Regulations, and Procedures to implement this change from the current formula. Noneligible project costs include architectural and engineering fees, land acquisition, certain off-site development work, movable furniture and equipment, and square footage above the State formula. It is estimated that non-eligible costs may account for approximately 30% of the total cost for a new school construction project.

In addition, House Bill 657 enables the Prince George's County Board of Education to construct school facilities on property owned by a public agency participating in a joint-use agreement with the county board. The bill sunsets on June 30, 2002, except for the provision enabling the school system to construct buildings on non-school property. The fiscal 1999 State budget includes $225 million for school construction projects statewide. Prince George's County will receive $35 million in fiscal 1999 which represents 15.5% of the total fiscal 1999 State allocation. The Act's requirement, however, would not necessarily require the total State school construction program to increase. In addition, Prince George's County will be able to leverage $35 million in State funds with the $32 million in local funding required under the Act.

House Bill 657 includes several accountability measures to ensure that State school construction funding for Prince George's County is used effectively. First, prior

to any school construction projects being released for bidding as a result of State funding in fiscal 1999 through 2002, the Prince George's County Board of Education, the Prince George's County Executive, and the Prince George's County Council must submit to the Interagency Committee on School Construction the most recent Community Schools Education Plan and the Prince George's County Board of Education Capital Improvement Program and a letter of endorsement of the plan and program. The Interagency Committee must review the information submitted and determine which projects or portions thereof are justified and which qualify as neighborhood school projects. The educational programs and services proposed for each project shall be reviewed and approved by the State Superintendent of Schools for consistency with practices and strategies that result in improved student achievement and academic and social success prior to projects being referred for bidding.

Initiatives Needing Continued Support

Several recommendations of the task force have not yet been fully implemented. The task force strongly supports the reintroduction and passage of two legislative initiatives that failed during the 1998 legislative session. One task force recommendation asked the State Scholarship Administration to evaluate reestablishing the tuition scholarship program for candidates to become teachers in Maryland public schools. HB 732 would have accomplished this goal by establishing a scholarship program for prospective teachers who:

(1) attend a Maryland college or community college;

(2) have earned an academic average of at least a C+ or 75% in high school or have finished in the top 25% of their high school class; and

(3) agree to teach in a public school in the State after graduation for a period of at least three years.

If the teaching requirements were not fulfilled, the scholarship money would have to be repaid. The scholarship amount could not exceed the annual tuition and fees of a full-time resident undergraduate student at the University of Maryland, College Park. A student could have received the scholarship as long as the student maintained an overall grade point average of at least a C+ or 75%, and maintained at least a B average in education courses after completion of the sophomore year. A recipient of a scholarship award could have received an additional $1,000 for each year that the student was eligible if the student agreed to teach in a Maryland public school with a high concentration of "at-risk children" for three years. The bill received an unfavorable report from the House Ways and Means Committee, in large part due to its cost of approximately $15 million.

Another task force recommendation was to amend the Workers' Compensation Act to apply to students who engage in unpaid learning experiences. This recommendation would have been addressed with the passage of HB 177, as originally introduced, which would have provided workers' compensation coverage for students in unpaid work-based learning experiences by defining them as covered employees for the purposes of workers' compensation. The bill as originally introduced would have given students workers' compensation benefits without asking them to compromise any benefit rights. An unpaid work-based learning experience was defined as one that: occurs in the workplace; links with classroom instruction; is coordinated by a county board of education; and is conducted in accordance with the terms of an individual written work-based learning agreement. This bill was voted unfavorably by the House Economic Matters Committee due to disagreements over who would be responsible for the costs of covering the students (employers or school boards).

The task force believes each of these bills addresses an important element in looking at education issues. Both proposals should be reintroduced in the next legislative session. The Maryland State Department of Education should take the lead and make every effort during the interim to bring together interested parties to resolve funding issues before the session begins. The task force strongly supports passage of these initiatives.

In addition, the task force notes that some of its recommendations, particularly concerning partnerships and performance accountability, have not been fully implemented. Continued discussions and support will be needed for the full potential of these recommendations to be realized.

In its preliminary report, the task force recommended that MSDE convene a work group to study performance accountability for professional school personnel. In addition to MSDE staff, the work group would include teachers, principals, and representatives of local education agencies, local boards of education, and collective bargaining units. The work group was to identify the elements of a fair and effective evaluation system for professionally certificated personnel that could link the performance of principals to the performance of their schools and the performance of teachers to the performance of their students, taking into account the varied backgrounds and prior performance of students. Three school systems, Baltimore City and Anne Arundel and Baltimore Counties, are currently pursuing efforts to implement performance-based evaluation systems for professional staff. MSDE has indicated that it will monitor the experiences of these school systems.

The task force urges MSDE to convene the recommended work group this year to study the efforts being made by these school systems and their experiences with them. The work group should make recommendations, as appropriate, on the elements of a model performance-based evaluation system which could be used by other school systems around the State. The work group should report its findings to the General Assembly.

Areas for Further Study

The task force has worked diligently over the past year to fulfill the charge it was given by Governor Glendening and Speaker Taylor in the summer of 1997 -- to identify gaps in funding programs for "at-risk" children and to make recommendations to enhance funding and accountability and to increase school partnerships. With the passage of House Bill 1 and other progress which has been made on the recommendations made by the task force in its preliminary report in January 1998, the task force has accomplished many of its objectives. Indeed, Speaker Taylor addressed the task force at its June 2, 1998, meeting and thanked the members for their hard work and contributions. The task force's hard work was most apparent in the statewide funding plan adopted by the General Assembly which targets resources to "at-risk" students and will ensure that students throughout Maryland will have the resources to succeed academically. Speaker Taylor commended the task force for the many accomplishments it achieved in the education funding, accountability, and partnerships areas in such a short time.

Blue Ribbon Commission

At the June 2nd meeting, Speaker Taylor also announced his support for the appointment of a new Blue Ribbon Commission to broadly examine and make recommendations on State education funding formulas. Formulas such as current expense, student transportation, and special education would be studied to determine the cumulative impact of the State's education funding formulas and revise them, where needed, to take into account the changing dynamics in the State. Given the number of major policy issues to be examined and the complexity of the State's education funding formulas, Speaker Taylor recommended up to two years for the commission to complete its work.

The task force endorses the concept of a Blue Ribbon Commission. During its deliberations and public hearings, the task force identified a number of additional areas which merit study, some of which are outside the task force's charge. Several of these could be considered by the Blue Ribbon Commission within the purview of examining the State's education funding formulas and accountability apparatus and outcomes, such as:

1) growth issues for local school systems, particularly dealing with student transportation;

2) the escalating costs and increasing number of students in special education;

3) high student mobility rates within and between school systems;

4) accountability issues, including measures of teacher, student, school, and system performance and the success of specific programs, particularly those receiving additional State funds;

5) financial accountability, including a Statewide financial reporting system and ways to increase the comparability of expenditure data provided by local school systems.

Other issues raised for discussion by the task force, such as enrollment count methodologies, the need to reduce class sizes, and school construction issues are being addressed by other appropriate entities. Several of these are discussed further below.

The task force strongly recommends that a Blue Ribbon Commission be appointed in the spring of 1999 by the Governor and the General Assembly to examine the State's education funding formulas and accountability issues. The commission should focus on the adequacy and equity in State funding for students in public schools and the cumulative impact of the various formulas currently used by the State to determine the State's share of education funding. In addition, the commission should examine the continued need and method of allocation for the additional education funds provided through the Baltimore City Public Schools Reform legislation (SB 795 of 1997) and the School Accountability Funding for Excellence (HB 1 of 1998), all of which will sunset after fiscal 2002. Measures of programmatic and financial accountability should also be examined by the commission, and modifications and additions to current accountability measures should be recommended as appropriate.

The task force recommends that the commission's membership should include State and local elected officials, State and local education officials, experts in the areas of education policy, education finance and education accountability, and interested parties, including teacher and parent organizations. Recognizing the enormity of the task for the commission, the commission should be given at least 18 months to address these issues. A final report deadline of October 2000 is recommended, with an interim report to the Governor and General Assembly in January 2000.

Student Enrollment Count Methodology

Student enrollment counts are a primary way in which State education aid is distributed to local school districts. Student enrollment counts can be measured in a number of ways such as average daily attendance (ADA), average daily membership (ADM), and full-time equivalent enrollment (FTE). ADA is based on a school district's student attendance rate. FTE is based on a school district's total enrollment on a single

day; whereas, ADM is based on a district's average total enrollment over a given time period. ADM which is used in 22 states is the most common pupil count in the nation, followed by FTE which is used in 12 states and ADA which is used in seven states. Some states use teacher or instructional units to distribute State funding instead of a student enrollment count. Maryland uses FTE to distribute State education aid under the basic current expense program, the State's primary education funding formula.

There has been considerable debate both in Maryland and across the nation concerning the type of student enrollment count that should be used to allocate State funding to local school districts. To address these concerns, the Maryland State Department of Education convened a work group to study the issue. While the work group failed to endorse a change in the current method of calculating student enrollment, it did recommend establishing a pilot program to determine the impact of using average daily membership to determine the student enrollment count. To ensure that local school systems are receiving an equitable allocation of State education funding, the task force supports the Maryland State Department Education's proposed pilot study to determine the impact of altering the current method to calculate student enrollment for State aid purposes. The following provides a brief discussion of the average daily attendance pilot initiative.

In April 1998, five local school systems agreed to participate in the average daily attendance pilot program: Allegany, Charles, Montgomery, St. Mary's, and Wicomico counties. Results from data collected over several months beginning with September 1998 will be compared to results from the department's current September 30th enrollment count. The purpose of the pilot program is to develop a clear understanding of the requirement the new enrollment count method would place upon local school districts, especially with regard to data collection at the school level and fiscal implications for the school systems.

School Construction

One of the issues raised during discussions of State school construction funding for Prince George's County was the State/local shared cost formula. The formula is used to determine what portion of a project the State will fund and how much the local jurisdictions must provide to receive the State funding. The shared cost formula was first approved by the Board of Public Works in 1987 and applied to projects funded in fiscal 1989. The State share ranged from 50% to 75% and was based on the State share of the basic current expense formula, with no school system receiving less than 50%.

The formula was revised in 1993, applicable to projects funded in fiscal 1995. The 1993 formula is in effect today, ranging from 50% to 80%, with two revisions consistent with legislative intent and consent decrees settling outstanding litigation: 1) Baltimore City's State share is 90% for the first $10 million received from the State for eligible project costs, for fiscal 1998 to 2002; and 2) Prince George's County's State share is 75% for the first $35 million received from the State for eligible project costs, for fiscal 1999 to 2002.

The State/local shared cost formula is currently under review by the Interagency Committee on School Construction (IAC). The IAC will be examining the shared cost formula during the 1998 legislative interim and will present its findings and recommendations to the Governor, General Assembly, and Board of Public Works.

The IAC and MSDE are also pursuing the task force's recommendations regarding multiple use of school facilities. They are conducting a survey of multiple use of school facilities and will report their findings to the Governor and the General Assembly. The Board of Public Works also amended a rule in May 1998 to allow the State to provide funding for up to 3,000 square feet of space in a school to support recreational, health, and other community programs that would serve school children and the community.

Employment of Retired Teachers

The shortage of certificated teachers in Maryland was raised several times during the course of the task force's deliberations. It was brought to the task force's attention that several jurisdictions, most notably Baltimore City, were using retired teachers to meet an increasing demand for certificated teachers. Teachers who have retired from a school system that participates in the State Retirement and Pension System and then become reemployed with another participating school system have their retirement allowance offset by the amount their current salary plus their basic retirement allowance exceeds their average final compensation at retirement. Mr. J. Howard Pleines of the State Retirement Agency briefed the task force on the State Retirement System's rules and regulations for reemployment of retirees at the task force's June 2 meeting.

Legislation was introduced during the 1998 session (House Bill 1300) to exempt from the offset members of the Teachers' Retirement System who have been retired for more than one year and hold a different position from which they retired. The legislation failed in the Appropriations Committee. However, the Joint Committee on Pensions was asked to study the broader issue of the earnings limitation for retirees. The task force encourages the Joint Committee on Pensions to examine this issue carefully with respect to teachers.

Appendix 1

HOUSE BILL 1

F1 (8lr1063)

ENROLLED BILL

— Ways and Means/Budget and Taxation —

Introduced by **Delegate Taylor and The Speaker (Administration) and Delegates Campbell, Conway, Cryor, Finifter, Hixson, Holt, Kopp, Proctor, Rawlings, Workman, Dewberry, Hurson, Curran, Busch, Guns, Vallario, Harrison, Menes, Arnick, Owings, W. Baker, Barve, Benson, Billings, E. Burns, Cadden, Clagett, Conroy, C. Davis, Dembrow, Doory, Dypski, Franchot, Frank, Frush, ~~Fulton,~~ Genn, Goldwater, Gordon, Grosfeld, Healey, Hecht, Heller, Howard, Jones, Kagan, Krysiak, Linton, Love, Malone, Mandel, Marriott, McIntosh, Minnick, V. Mitchell, Morhaim, Nathan-Pulliam, Palumbo, Perry, Petzold, Pitkin, Preis, Rudolph, Shriver, Slade, Turner, Weir, ~~and Wood~~ Wood, ~~and Patterson~~ Patterson, DeCarlo, Valderrama, Miller, McHale, and Donoghue**

Read and Examined by Proofreaders:

_____
Proofreader.

_____
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____M.

_____
Speaker.

CHAPTER_____

AN ACT concerning

School Accountability Funding for Excellence

FOR the purpose of establishing a School Accountability Funding for Excellence Program for public school systems of the State; revising the funding and certain requirements for programs for non– and limited–English proficient students; providing certain funds to certain public school systems pursuant to certain formulas; providing certain funds and establishing certain requirements for

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.
Italics indicate opposite chamber/conference committee amendments.

professional development programs in certain schools; providing certain funding, subject to certain conditions, for the Baltimore County Teacher Mentoring Program; *providing certain funding, subject to certain conditions, for a Prince George's County teacher mentoring program;* providing certain funding, subject to certain conditions, for the Early Elementary Education Program; providing certain funding, subject to certain conditions, for certain prekindergarten early intervention; providing certain funding, subject to certain conditions, for certain programs in Prince George's County and certain statewide teacher certification and development initiatives; *requiring a certain audit of the Prince George's County public schools; establishing a certain management oversight panel; providing that certain existing funding for Prince George's County schools may be directed to support certain programs; establishing a certain Coordination Office;* providing certain funding, subject to certain conditions, for school library programs; mandating certain accountability provisions for receipt of certain funds; requiring the State Board of Education to adopt certain regulations implementing certain plans; requiring certain annual reports to the General Assembly; prohibiting the use of certain State funds provided under this Act to supplant certain funds under certain circumstances; providing certain funding for the Aging School Program; *stating the intent of the General Assembly concerning certain funding for the operating expenses of the Coordination Office;* providing for the termination of this Act; and generally relating to State aid for public education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–206
Annotated Code of Maryland
(1997 Replacement Volume and 1997 Supplement)

Preamble

WHEREAS, The Maryland General Assembly recognizes that a large portion of the nearly 1,000,000 students who attend public schools across the State are at risk of not performing at high academic levels; and

WHEREAS, The 1993 Governor's Commission on School Funding found that the single best predictor of school performance is the percentage of students approved for free or reduced price meals; and

WHEREAS, In the last 5 years the number of students receiving free and reduced price meals has increased by over 35 percent while student enrollment has increased by only 12 percent; and

WHEREAS, Other factors contributing to the lower academic achievements of at–risk students include possessing limited English proficiency skills, attending schools that have a large portion of inexperienced teachers, and being from highly mobile families that move several times during a school year; and

WHEREAS, The number of limited–English proficient students has increased during this same period by over 31 percent; and

WHEREAS, The 1997 Task Force on Education Funding Equity, Accountability, and Partnerships examined the educational needs of all public school students in Maryland, particularly the needs of at–risk students, and determined that additional State funding is necessary to fill gaps in programs serving at–risk students; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

5–206.

(a) THIS SECTION MAY BE CITED AS THE SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE PROGRAM.

(B) (1) **[**(i)**]** In this section the following words have the meanings indicated.

(2) "FULL–TIME EQUIVALENT ENROLLMENT" HAS THE MEANING PROVIDED IN § 5–202 OF THIS SUBTITLE.

[(ii)**]**(3) "Non– and limited–English proficient student" means a student identified as non– or limited–English proficient under the Maryland State Department of Education's Maryland School Performance Program reporting requirements. This definition should be consistent with federal guidelines for the identification of students with limited English proficiency, as defined by the following criteria: the student was born outside of the United States or whose native language is not English; the student comes from an environment where a language other than English is dominant; or the student is an American Indian or Alaskan native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

[(iii)**]** (4) "Non– and limited–English proficient student count" means the number of non– and limited–English proficient students as of May 15 of a school year.

(5) "WEALTH" HAS THE MEANING PROVIDED IN § 5–202 OF THIS SUBTITLE.

[(2) Except as provided under regulations adopted by the State Board of Education, a student may not be included in the non– and limited–English proficiency student count for more than 2 school years.**]**

[(b)**]**(C) (1) Beginning in Fiscal Year 1995, the Department shall distribute annually to each county board a grant for the purpose of providing instruction and services to non– and limited–English proficient students.

(2) (i) In Fiscal Year 1995, the amount of the grant shall be distributed on the basis of the non– and limited–English proficient student count for the school year prior to the fiscal year for which the appropriation is provided.

(ii) For Fiscal Year 1996 **[**and every year thereafter**]** THROUGH FISCAL YEAR 1998, the Governor shall include in the State budget funding for the grant, in an amount at least equal to $500 times the non– and limited–English proficient student count for the second preceding school year prior to the fiscal year for which the appropriation is provided.

(III) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE GRANT IN AN AMOUNT AT LEAST EQUAL TO $1,350 TIMES THE NON– AND LIMITED–ENGLISH PROFICIENT STUDENT COUNT FOR THE SECOND PRECEDING SCHOOL YEAR PRIOR TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED.

(3) To be eligible to receive the grants provided under paragraph (2) of this subsection, a county board ~~shall have programs for providing instruction and services to non– and limited–English proficient students that are approved by the Department~~ *SHALL:*

(I) HAVE PROGRAMS FOR PROVIDING INSTRUCTION AND SERVICES TO NON– AND LIMITED–ENGLISH PROFICIENT STUDENTS THAT ARE APPROVED BY THE DEPARTMENT; AND

(II) IN ACCORDANCE WITH DEPARTMENT GUIDELINES, ANNUALLY EVALUATE NON– AND LIMITED–ENGLISH PROFICIENT STUDENTS IN LISTENING, SPEAKING, READING, AND WRITING ENGLISH TO DETERMINE ELIGIBILITY.

[(c) (1)**]** (4) (I) The Department shall establish guidelines for programs *AND GRANT ELIGIBILITY* for non– and limited–English proficient students.

(II) THE DEPARTMENT AND THE STATE BOARD SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE ASSESSMENT PROCESS AND EFFECTIVENESS OF PROGRAMS FOR NON– AND LIMITED–ENGLISH PROFICIENT STUDENTS.

[(2)**]** (5) A county board shall expend the State funds received under this **[**section**]** SUBSECTION for programs for non– and limited–English proficient students and shall report annually to the Department on the actual expenditures of the State funds received under this section.

(D) (1) EACH COUNTY BOARD SHALL RECEIVE FROM THE STATE, IN THE MANNER AND SUBJECT TO THE LIMITATIONS UNDER THIS SECTION, AN AMOUNT FOR EACH SCHOOL YEAR TO BE KNOWN AS THE "TARGETED IMPROVEMENT GRANT", WHICH SHALL BE CALCULATED AS PROVIDED IN THIS SUBSECTION.

(2) FOR EACH FISCAL YEAR, THE TARGETED IMPROVEMENT GRANT FUNDING LEVEL SHALL BE THE PRODUCT OF 2.5 PERCENT OF THE PER PUPIL BASIC CURRENT EXPENSE FIGURE FOR THE CURRENT FISCAL YEAR, ROUNDED TO THE

NEAREST DOLLAR, AND 85 PERCENT OF THE STATEWIDE FREE AND REDUCED PRICE MEAL ELIGIBLE COUNT FOR THE SECOND PRIOR FISCAL YEAR.

(3) ~~EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,~~ THE AMOUNT TO BE PROVIDED UNDER THIS PROGRAM TO A COUNTY IN A FISCAL YEAR SHALL BE:

(I) 1. THE PRODUCT OF 85 PERCENT OF THE FREE AND REDUCED PRICE MEAL ELIGIBLE COUNT FOR THE SECOND PRIOR FISCAL YEAR FOR EACH COUNTY AND 2.5 PERCENT OF THE PER PUPIL BASIC CURRENT EXPENSE FIGURE FOR THE CURRENT FISCAL YEAR ROUNDED TO THE NEAREST DOLLAR; DIVIDED BY

2. THE RATIO, ROUNDED TO SEVEN DECIMAL PLACES, OF COUNTY WEALTH PER COUNTY FULL–TIME EQUIVALENT ENROLLMENT TO STATEWIDE WEALTH PER FULL–TIME EQUIVALENT ENROLLMENT; MULTIPLIED BY

(II) A FACTOR, ROUNDED TO SEVEN DECIMAL PLACES, CALCULATED BY DIVIDING THE TARGETED IMPROVEMENT GRANT FUNDING LEVEL BY THE SUM OF QUOTIENTS DETERMINED IN ITEM (I)2 OF THIS PARAGRAPH.

~~(4) THE NEW BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY SHALL RECEIVE 50 PERCENT OF ITS FORMULA ALLOCATION AS DETERMINED IN PARAGRAPH (3) OF THIS SUBSECTION.~~

~~(5)~~ *(4)* (I) THE TARGETED IMPROVEMENT GRANT FUNDS SHALL BE USED TO PROVIDE SUPPLEMENTAL FUNDS TO SCHOOLS OR SPECIFIC STRUCTURED AFTER–SCHOOL OR SUMMER ACTIVITIES IN WHICH 25 PERCENT OR MORE OF THE STUDENTS RECEIVE FREE AND REDUCED PRICE MEALS.

(II) A LOCAL SCHOOL SYSTEM ~~MAY~~ *SHALL* DISTRIBUTE FUNDS TO THESE PRIORITY AREAS BASED ON ITS LOCAL COMPREHENSIVE PLAN DESCRIBED IN SUBSECTION (I) OF THIS SECTION TO INCREASE THE PERFORMANCE OF STUDENTS AT RISK OF ACADEMIC FAILURE.

(E) (1) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, EACH SCHOOL WITH A FREE OR REDUCED PRICE STUDENT MEAL COUNT OF 25 PERCENT OR MORE OF ITS STUDENT POPULATION SHALL RECEIVE AN $8,000 GRANT TO ENHANCE TEACHER DEVELOPMENT IN DEALING WITH AT–RISK STUDENTS.

(2) BEGINNING IN FISCAL YEAR 1999, THE GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET NOT LESS THAN THE AMOUNT APPROPRIATED IN FISCAL YEAR 1998 FOR THE BALTIMORE COUNTY TEACHER MENTORING PROGRAM. IN ADDITION TO THAT AMOUNT, THE BALTIMORE COUNTY TEACHER MENTORING PROGRAM SHALL RECEIVE $5,000,000 ANNUALLY TO ENHANCE ITS TEACHER MENTORING PROGRAM AS A PILOT TO DETERMINE BEST PRACTICES FOR MENTORING TEACHERS WORKING WITH AT–RISK STUDENTS AND ADDRESSING TEACHER RETENTION IN SCHOOLS WITH HIGH AT–RISK STUDENT POPULATIONS.

(3) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET $2 MILLION TO

FUND A TEACHER MENTORING PROGRAM IN PRINCE GEORGE'S COUNTY WHICH SHALL BE MODELED AFTER THE BALTIMORE COUNTY TEACHER MENTORING PROGRAM.

~~(3)~~ *(4)* TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET OR ARE AVAILABLE FROM OTHER SOURCES FOR THIS PURPOSE, THE DEPARTMENT AND EACH PUBLIC SCHOOL SYSTEM SHALL EXPAND EXISTING PROFESSIONAL DEVELOPMENT PROGRAMS FOR SCHOOL-BASED ADMINISTRATORS AND PRINCIPALS AND DEVELOP NEW PROGRAMS TO ASSIST THESE INDIVIDUALS IN DEALING WITH AT-RISK STUDENTS.

(F) (1) BEGINNING IN FISCAL YEAR 1999, THE GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET NOT LESS THAN THE AMOUNT APPROPRIATED IN FISCAL YEAR 1998 FOR THE EXTENDED ELEMENTARY EDUCATION PROGRAM. IN ADDITION TO THAT AMOUNT, THE FOLLOWING ADDITIONAL FUNDS SHALL BE PROVIDED ANNUALLY TO COUNTY BOARDS AS FOLLOWS:

(I) ALLEGANY COUNTY	$ 57,541
(II) ANNE ARUNDEL COUNTY	200,241
(III) BALTIMORE CITY	694,491
(IV) BALTIMORE COUNTY	100,759
(V) CALVERT COUNTY	143,029
(VI) CAROLINE COUNTY	51,770
(VII) CARROLL COUNTY	14,270
(VIII) CECIL COUNTY	162,011
(IX) CHARLES COUNTY	144,439
(X) DORCHESTER COUNTY	70,036
(XI) FREDERICK COUNTY	180,082
(XII) GARRETT COUNTY	36,312
(XIII) HARFORD COUNTY	174,311
(XIV) HOWARD COUNTY	72,500
(XV) KENT COUNTY	55,541
(XVI) MONTGOMERY COUNTY	313,759
(XVII) PRINCE GEORGE'S COUNTY	336,226

(XVIII) QUEEN ANNE'S COUNTY 59,426

(XIX) ST. MARY'S COUNTY 261,134

(XX) SOMERSET COUNTY 39,729

(XXI) TALBOT COUNTY 20,541

(XXII) WASHINGTON COUNTY 103,416

(XXIII) WICOMICO COUNTY 22,541

(XXIV) WORCESTER COUNTY 51,656

(2) IN ADDITION TO THE FUNDS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, A TOTAL OF $1,000,000 SHALL BE ~~DISTRIBUTED~~ PROVIDED ANNUALLY TO LOCAL SCHOOL SYSTEMS TO ADDRESS EARLY INTERVENTION ~~OF~~ FOR TARGETED 4–YEAR–OLD POPULATIONS WHOSE NEEDS ARE NOT FULLY MET BY THE EXISTING EXTENDED ELEMENTARY EDUCATION PROGRAMS. THE STATE SUPERINTENDENT SHALL RELEASE THESE FUNDS TO LOCAL SCHOOL SYSTEMS BASED ON THE SUBMISSION AND APPROVAL OF COMPREHENSIVE PLANS DESCRIBED IN SUBSECTION (I) OF THIS SECTION. FUNDS SHALL BE PROVIDED AS FOLLOWS:

(I) ALLEGANY 18,315

(II) ANNE ARUNDEL 67,765

(III) BALTIMORE CITY 219,779

(IV) BALTIMORE 62,270

(V) CALVERT 23,810

(VI) CAROLINE 16,484

(VII) CARROLL 9,158

(VIII) CECIL 42,125

(IX) CHARLES 54,945

(X) DORCHESTER 21,978

(XI) FREDERICK 42,125

(XII) GARRETT 16,484

(XIII) HARFORD 40,293

(XIV) HOWARD 12,821

(XV) KENT 14,652

(XVI) MONTGOMERY.....65,933

(XVII) PRINCE GEORGE'S.....91,575

(XVIII) QUEEN ANNE'S.....18,315

(XIX) ST. MARY'S.....45,788

(XX) SOMERSET.....14,652

(XXI) TALBOT.....14,652

(XXII) WASHINGTON.....31,136

(XXIII) WICOMICO.....40,293

(XXIV) WORCESTER.....14,652

(G) (1) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET FUNDING FOR THE FOLLOWING GRANTS:

(I) EFFECTIVE SCHOOLS PROGRAMS IN PRINCE GEORGE'S COUNTY – $2,000,000;

(II) PILOT INTEGRATED STUDENT SUPPORT SERVICES PROJECT IN PRINCE GEORGE'S COUNTY – $1,000,000;

(III) PROVISIONAL TEACHER CERTIFICATION AND TEACHER DEVELOPMENT INITIATIVES IN PRINCE GEORGE'S COUNTY – $2,500,000; AND

(IV) PROVISIONAL TEACHER CERTIFICATION AND TEACHER DEVELOPMENT INITIATIVES STATEWIDE *EXCEPT IN PRINCE GEORGE'S COUNTY* – $500,000.

(2) THE STATE SUPERINTENDENT SHALL ESTABLISH GUIDELINES AND CRITERIA THAT WILL BE USED TO DISTRIBUTE FUNDS PROVIDED IN ~~PARAGRAPH (1)(III) AND (IV) OF~~ THIS SUBSECTION.

(3) (I) THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION ANNUALLY SHALL SUBMIT TO THE DEPARTMENT A PLAN FOR THE EXPENDITURE OF FUNDS PROVIDED IN:

1. PARAGRAPH (1) OF THIS SUBSECTION FOR EFFECTIVE SCHOOLS PROGRAMS; AND

2. CHAPTER 105 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1997 FOR THE MAGNET SCHOOLS PROGRAM, WHICH, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, MAY BE DIRECTED TO SUPPORT MAGNET AND OTHER EFFECTIVE SCHOOLS PROGRAMS.

(II) THE PLAN SHALL INCLUDE:

1. FUNDS FOR ACADEMIC PROGRAMS TO SUPPORT RESEARCH-PROVEN STRATEGIES THAT ENHANCE INSTRUCTION AND STUDENT PERFORMANCE; AND

2. STRONG MONITORING AND EVALUATION COMPONENTS.

(III) THE STATE SUPERINTENDENT SHALL REVIEW THE PLAN AND APPROVE IT BEFORE RELEASING THE FUNDS EACH YEAR

(4) THERE SHALL BE A PERFORMANCE AUDIT OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS CONDUCTED BY AN INDEPENDENT AUDIT FIRM.

(5) THE FISCAL 1998 FINANCIAL AUDIT OF THE PRINCE GEORGE'S COUNTY SCHOOL SYSTEM SHALL BE PERFORMED BY AN INDEPENDENT AUDITOR AND SHALL INCLUDE A REVIEW OF INTERNAL FINANCIAL CONTROLS AND PROPER CLASSIFICATION OF EXPENDITURES.

(6) (I) THERE SHALL BE A MANAGEMENT OVERSIGHT PANEL WHICH SHALL ASSIST IN DEVELOPING THE SCOPE OF THE PERFORMANCE AUDIT, MEET PERIODICALLY WITH THE AUDITORS TO MONITOR THE PROGRESS OF THE PERFORMANCE AUDIT AND OF THE FINANCIAL AUDIT, REVIEW THE FINDINGS AND RECOMMENDATIONS OF BOTH AUDITS, AND MONITOR IMPLEMENTATION OF THE AUDITS' RECOMMENDATIONS FOR A FOUR-YEAR PERIOD.

(II) THE MANAGEMENT OVERSIGHT PANEL SHALL CONSIST OF NINE MEMBERS JOINTLY APPOINTED BY THE GOVERNOR, THE PRINCE GEORGE'S COUNTY EXECUTIVE, AND THE CHAIRPERSON OF THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION FROM A LIST OF NOMINATIONS SUBMITTED BY THE STATE BOARD OF EDUCATION.

(III) THE MANAGEMENT OVERSIGHT PANEL SHALL BE COMPRISED OF:

1. FOUR INDIVIDUALS WHO HAVE EXTENSIVE EXPERTISE IN MANAGEMENT OR BUSINESS ENTERPRISES;

2. THREE INDIVIDUALS WHO HAVE EXTENSIVE EXPERTISE IN THE EDUCATION FIELD; AND

3. TWO INDIVIDUALS WHO ARE PARENTS OF STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS, AT LEAST ONE OF WHOM HAS A CHILD IN SPECIAL EDUCATION.

(IV) A MAJORITY OF THE MEMBERS OF THE MANAGEMENT OVERSIGHT PANEL SHALL BE RESIDENTS OF PRINCE GEORGE'S COUNTY.

(V) THE GOVERNOR, THE PRINCE GEORGE'S COUNTY EXECUTIVE, AND THE CHAIRMAN OF THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION JOINTLY SHALL DESIGNATE A CHAIRMAN OF THE MANAGEMENT OVERSIGHT PANEL.

(VI) THE MANAGEMENT OVERSIGHT PANEL SHALL ASSIST IN DEVELOPING THE SCOPE OF A PERFORMANCE AUDIT AND SHALL MEET PERIODICALLY WITH THE BOARD CHAIRPERSON, THE COUNTY EXECUTIVE, AND THE COUNTY COUNCIL CHAIRPERSON TO MONITOR THE PROGRESS OF THE AUDIT.

(VII) AT THE CONCLUSION OF THE PERFORMANCE AUDIT AND THE FINANCIAL AUDIT, THE MANAGEMENT OVERSIGHT PANEL SHALL REVIEW THE FINDINGS AND RECOMMENDATIONS OF THE AUDITS AND REPORT TO THE GOVERNOR, GENERAL ASSEMBLY, PRINCE GEORGE'S COUNTY COUNCIL, PRINCE GEORGE'S COUNTY EXECUTIVE, AND PRINCE GEORGE'S COUNTY BOARD OF EDUCATION:

1. ON THE AUDITS' FINDINGS AND RECOMMENDATIONS; AND

2. ANNUALLY ON IMPLEMENTATION OF THE AUDITS' RECOMMENDATIONS.

(7) THE STATE SHALL PROVIDE ONE-THIRD OF THE TOTAL COST OF THE PERFORMANCE AUDIT UP TO $200,000, WITH RELEASE OF THE FUNDS CONTINGENT ON APPOINTMENT OF THE MANAGEMENT OVERSIGHT PANEL.

(8) (I) THERE SHALL BE A COORDINATION OFFICE WITH STAFF APPOINTED BY THE MANAGEMENT OVERSIGHT PANEL.

(II) THE COORDINATION OFFICE SHALL PROVIDE SUPPORT TO THE MANAGEMENT OVERSIGHT PANEL AND SERVE AS LIAISON BETWEEN THE STATE, PRINCE GEORGE'S COUNTY, AND THE MANAGEMENT OVERSIGHT PANEL FOR THE DURATION OF THE FOUR-YEAR PERIOD.

(III) THE STATE SHALL FUND THE TOTAL OPERATING COSTS OF THE COORDINATION OFFICE.

(H) (1) *IN THIS SUBSECTION, "NEW LOCAL SCHOOL BOARD FUNDS" MEANS ADDITIONAL FUNDING PROVIDED BY THE LOCAL SCHOOL BOARDS FOR ELEMENTARY SCHOOL LIBRARIES IN EXCESS OF THE FISCAL 1998 FUNDING PROVIDED BY THE LOCAL SCHOOL BOARDS FOR ELEMENTARY SCHOOL LIBRARIES.*

(2) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET A TOTAL OF $3,000,000 IN GRANTS TO LOCAL SCHOOL SYSTEMS FOR *THE PURPOSE OF ENHANCING ELEMENTARY* SCHOOL LIBRARY PROGRAMS ~~BASED ON EACH COUNTY'S PERCENT OF TOTAL FULL-TIME EQUIVALENT ENROLLMENT STATEWIDE FOR THE PREVIOUS FISCAL YEAR~~.

~~(2)~~ *(3)* IN ORDER TO RECEIVE FUNDS UNDER THIS SUBSECTION, EACH COUNTY BOARD SHALL ~~PROVIDE EQUAL MATCHING FUNDS TO BE USED FOR SCHOOL LIBRARY PROGRAMS~~ *MATCH THE STATE GRANT DOLLAR FOR DOLLAR WITH NEW LOCAL SCHOOL BOARD FUNDS*.

~~(3)~~ *(4) TO THE EXTENT THAT A LOCAL SCHOOL BOARD DOES NOT PROVIDE NEW LOCAL SCHOOL BOARD FUNDS TO MEET THE LOCAL MATCH REQUIRED IN PARAGRAPH (3) OF THIS SUBSECTION, THE STATE GRANT SHALL REVERT TO THE GENERAL FUND.*

(5) THE STATE SUPERINTENDENT SHALL ESTABLISH GUIDELINES AND CRITERIA FOR THE EXPENDITURE OF FUNDS UNDER THIS SUBSECTION. IN DEVELOPING GUIDELINES, PRIORITY SHALL BE GIVEN TO UPDATING LIBRARY BOOK AND OTHER RESOURCE COLLECTIONS.

~~(4) FOR FISCAL YEAR 1999 AND SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, SCHOOL LIBRARY GRANTS SHALL BE PROVIDED TO COUNTY BOARDS AS FOLLOWS:~~

~~(I) ALLEGANY ..... 40,266~~

~~(II) ANNE ARUNDEL ..... 268,456~~

~~(III) BALTIMORE CITY ..... 380,390~~

~~(IV) BALTIMORE ..... 376,316~~

~~(V) CALVERT ..... 53,740~~

~~(VI) CAROLINE ..... 20,218~~

~~(VII) CARROLL ..... 98,518~~

~~(VIII) CECIL ..... 55,039~~

~~(IX) CHARLES ..... 78,281~~

~~(X) DORCHESTER ..... 18,382~~

~~(XI) FREDERICK ..... 125,881~~

~~(XII) GARRETT ..... 19,170~~

~~(XIII) HARFORD ..... 130,416~~

~~(XIV) HOWARD ..... 147,977~~

~~(XV) KENT ..... 10,197~~

~~(XVI) MONTGOMERY ..... 453,584~~

~~(XVII) PRINCE GEORGE'S ..... 463,151~~

~~(XVIII) QUEEN ANNE'S ..... 23,544~~

~~(XIX) ST. MARY'S ..... 52,289~~

~~(XX) SOMERSET ..... 11,060~~

~~(XXI) TALBOT ..... 16,384~~

~~(XXII) WASHINGTON ..... 72,645~~

~~(XXIII) WICOMICO ..... 50,492~~

~~(XXIV) WORCESTER ..... 24,604~~

(6) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, AND SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, SCHOOL LIBRARY GRANTS SHALL BE PROVIDED TO COUNTY BOARDS AS FOLLOWS:

(I) ALLEGANY $40,266

(II) ANNE ARUNDEL 268,456

(III) BALTIMORE CITY 380,390

(IV) BALTIMORE 376,316

(V) CALVERT 53,740

(VI) CAROLINE 20,218

(VII) CARROLL 98,518

(VIII) CECIL 55,039

(IX) CHARLES 78,281

(X) DORCHESTER 18,382

(XI) FREDERICK 125,881

(XII) GARRETT 19,170

(XIII) HARFORD 139,416

(XIV) HOWARD 147,977

(XV) KENT 10,197

(XVI) MONTGOMERY 453,584

(XVII) PRINCE GEORGE'S 463,151

(XVIII) QUEEN ANNE'S 23,544

(XIX) ST. MARY'S 52,289

(XX) SOMERSET 11,060

(XXI) TALBOT 16,384

(XXII) WASHINGTON 72,645

(XXIII) WICOMICO 50,492

(XXIV) WORCESTER 24,604

(I) (1) IN ORDER TO RECEIVE ANY OF THE FUNDS DESCRIBED IN SUBSECTIONS (C) THROUGH ~~(H)~~ (G) OF THIS SECTION, ~~EACH~~ A LOCAL SCHOOL SYSTEM SHALL SUBMIT TO THE DEPARTMENT; AND THE DEPARTMENT SHALL HAVE APPROVED; A COMPREHENSIVE PLAN TO INCREASE THE PERFORMANCE OF AT-RISK STUDENTS BASED ON THE DEPARTMENT'S CRITERIA FOR MEASURING STUDENT SUCCESS.

(2) EACH COMPREHENSIVE PLAN SHALL INTEGRATE FUNDING FROM STATE, FEDERAL, AND LOCAL PROGRAMS TARGETING STUDENTS AT RISK OF ACADEMIC FAILURE IN ORDER TO DELIVER A MORE COMPREHENSIVE AND COORDINATED PROGRAM.

(3) EACH COMPREHENSIVE PLAN SHALL INCLUDE A DESCRIPTION OF THE MEASURES THAT WILL BE USED AND THE PROCESS BY WHICH DATA WILL BE COLLECTED AND EVALUATED TO MEASURE CHANGE IN STUDENT LEARNING AND OTHER EDUCATIONAL PERFORMANCE ATTRIBUTABLE TO THE ~~TARGETED IMPROVEMENT GRANT~~ SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE PROGRAM FUNDS.

~~(4) EACH COMPREHENSIVE PLAN SHALL INCLUDE ANY OTHER INFORMATION REQUIRED BY THE STATE BOARD.~~

(4) THE STATE BOARD SHALL ADOPT REGULATIONS REGARDING THE INFORMATION REQUIREMENTS OF AND THE APPROVAL PROCESS FOR THE COMPREHENSIVE PLANS. THESE REGULATIONS SHALL INCLUDE DETAILED TIME LINES FOR APPROVAL OF THE COMPREHENSIVE PLANS BY THE DEPARTMENT.

(5) EACH LOCAL SCHOOL SYSTEM SHALL SUBMIT TO THE DEPARTMENT SEMIANNUAL PROGRESS REPORTS THAT INCLUDE SPECIFIC DATA ABOUT THE NATURE AND EXTENT OF CHANGES IN STUDENT LEARNING FOR STUDENTS PARTICIPATING IN THE ~~TARGETED IMPROVEMENT GRANT~~ SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE PROGRAM. THE INFORMATION GATHERED THROUGH THE SEMIANNUAL REPORTING SHALL BE USED TO MODIFY AND ~~ENHANCE STRATEGIES THAT ARE HAVING A MEASURABLE IMPACT ON THE PERFORMANCE OF~~

~~STUDENTS~~ IMPLEMENT STUDENT PERFORMANCE STRATEGIES. EACH PROGRESS REPORT SUBMITTED UNDER THIS PARAGRAPH SHALL INCLUDE AN ASSESSMENT OF STUDENT PERFORMANCE USING THE CATEGORIES REQUIRED BY THE MARYLAND SCHOOL PERFORMANCE PROGRAM STANDARDS.

(6) THE DEPARTMENT SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE LOCAL COMPREHENSIVE PLANS AND THE EFFECTIVENESS OF THE PROGRAMS IN INCREASING THE PERFORMANCE OF AT–RISK STUDENTS.

(J) (1) FUNDS APPROPRIATED UNDER SUBSECTIONS (C) THROUGH (H) OF THIS SECTION MAY NOT BE USED TO SUPPLANT EXISTING EDUCATION FUNDING FOR PROGRAMS FOR STUDENTS AT RISK OF ACADEMIC FAILURE.

(2) TO THE EXTENT THAT A LOCAL SCHOOL SYSTEM ACHIEVES THE INTENDED FUNDING LEVEL IN A PARTICULAR TARGETED PROGRAM FOR AT–RISK STUDENTS, THE LOCAL SCHOOL SYSTEM MAY DIVERT FUNDS TO OTHER TARGETED PROGRAMS IF THE PROGRAMS ARE IDENTIFIED IN THE SCHOOL SYSTEM'S ~~TARGETED IMPROVEMENT GRANT PROGRAM~~ COMPREHENSIVE PLAN AND APPROVED BY THE DEPARTMENT.

(K) BEGINNING WITH THE FISCAL YEAR 1999 STATE BUDGET, THE GOVERNOR SHALL INCLUDE NOT LESS THAN THE AMOUNT APPROPRIATED IN FISCAL YEAR 1998 FOR THE AGING SCHOOL PROGRAM, WHICH SHALL BE ADMINISTERED BY THE INTERAGENCY COMMITTEE ON PUBLIC SCHOOL CONSTRUCTION. IN ADDITION TO THAT AMOUNT, THE FOLLOWING ADDITIONAL FUNDS SHALL BE PROVIDED ANNUALLY TO COUNTY BOARDS AS FOLLOWS:

(1)	ALLEGANY COUNTY	$ 205,000
(2)	ANNE ARUNDEL COUNTY	330,000
(3)	BALTIMORE CITY	1,515,000
(4)	BALTIMORE COUNTY	1,190,000
(5)	CALVERT COUNTY	40,000
(6)	CAROLINE COUNTY	50,000
(7)	CARROLL COUNTY	205,000
(8)	CECIL COUNTY	205,000
(9)	CHARLES COUNTY	40,000
(10)	DORCHESTER COUNTY	40,000
(11)	FREDERICK COUNTY	50,000
(12)	GARRETT COUNTY	50,000

(13)	HARFORD COUNTY	220,000
(14)	HOWARD COUNTY	40,000
(15)	KENT COUNTY	40,000
(16)	MONTGOMERY COUNTY	660,000
(17)	PRINCE GEORGE'S COUNTY	550,000
(18)	QUEEN ANNE'S COUNTY	50,000
(19)	ST. MARY'S COUNTY	50,000
(20)	SOMERSET COUNTY	40,000
(21)	TALBOT COUNTY	95,000
(22)	WASHINGTON COUNTY	110,000
(23)	WICOMICO COUNTY	205,000
(24)	WORCESTER COUNTY	40,000

SECTION 2. AND BE IT FURTHER ENACTED, That *it is the intent of the General Assembly that the Governor provide a maximum of $210,000 annually in Fiscal Years 1999 through 2002 for the operating expenses of the Coordination Office established by this Act.*

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998. It shall remain effective for a period of 4 years and, at the end of June 30, 2002, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved:

_____

Governor.

_____

Speaker of the House of Delegates.

_____

60 President of the Senate.

Appendix 2

G1

HOUSE BILL 657

F3 EMERGENCY BILL (8lr0485)

ENROLLED BILL

— Appropriations/Budget and Taxation —

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

_____
Proofreader.

_____
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

_____
Speaker.

CHAPTER_____

AN ACT concerning

Prince George's County – ~~Construction of Facilities for Joint Use by the Board of Education and Other Public Agencies~~ School Construction

PG 417–98

FOR the purpose of authorizing the Board of Education of Prince George's County to construct school facilities for joint use by the Board and certain other Prince George's County public agencies on land owned by a public agency in the County; requiring the State and the Prince George's County government to provide certain funding for public school construction for a certain period; requiring a certain State/local cost sharing formula for public school construction costs in Prince George's County; providing that certain funds are contingent on certain conditions; providing that the release of projects for bidding is contingent on receipt of certain information and certain approvals; ~~altering certain provisions relating to school construction, planning, and management in Prince George's County for certain purposes for a certain period;~~ providing for the termination of this Act subject to ~~a certain exception~~ *certain*

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets**]** indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.
Italics indicate opposite chamber/conference committee amendments.

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exceptions; making this Act an emergency measure; and generally relating to school construction in Prince George's County.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 5–301(h)~~
~~Annotated Code of Maryland~~
~~(1997 Replacement Volume and 1997 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Education
Section 5–307(a) through (c)
Annotated Code of Maryland
(1997 Replacement Volume and 1997 Supplement)

BY adding to
Article – Education
Section 5–307(d)
Annotated Code of Maryland
(1997 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

~~5–301.~~

~~(h) (1) With respect to public school construction or public school capital improvements, including sites for school buildings, the authority, responsibilities, powers, and duties of the following are subject to the rules, regulations, and procedures adopted by the Board of Public Works under this section:~~

~~(i) The State Board;~~

~~(ii) The State Superintendent;~~

~~(iii) The county governments;~~

~~(iv) The county boards; and~~

~~(v) All other State or local governmental agencies under this article.~~

~~(2) THE RULES, REGULATIONS, AND PROCEDURES ADOPTED BY THE BOARD OF PUBLIC WORKS SHALL INCLUDE PROVISIONS THAT IN PRINCE GEORGE'S COUNTY, THE COUNTY EXECUTIVE, THE COUNTY COUNCIL CHAIRMAN, AND THE~~

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~~BOARD OF EDUCATION CHAIRMAN SHALL ENTER INTO BINDING CONTRACTS OR AGREEMENTS FOR SCHOOL CONSTRUCTION, PLANNING, AND MANAGEMENT, INCLUDING PROCEDURES TO HANDLE EMERGENCY MAINTENANCE OR REPAIRS TO SCHOOL FACILITIES, TO BE PLACED UNDER THE DIRECTION OF THE PRINCE GEORGE'S COUNTY GOVERNMENT.~~

~~(3) If, as to public school construction or public school capital improvements, there is any conflict between the rules, regulations, and procedures of the Board of Public Works and the authority, responsibilities, powers, and duties of the individuals and agencies specified in paragraph (1) of this subsection, the rules, regulations, and procedures of the Board of Public Works shall prevail.~~

5–307.

(a) The Interagency Committee on Public School Construction shall assist the Prince George's County Board of Education in developing an education facility master plan that encourages and supports the neighborhood school concept to improve the quality of education for all students in Prince George's County.

(b) The education facility master plan under subsection (a) of this section shall be updated annually.

(c) To the extent the Prince George's County Board of Education and the county consider appropriate, the neighborhood school concept of the education facility master plan may include interagency utilization of neighborhood schools, including joint use of school facilities and property of:

(1) The Maryland–National Capital Park and Planning Commission;

(2) The Prince George's County library system;

(3) The Prince George's County Health Department;

(4) The Prince George's County Police Department;

(5) The Prince George's County Department of Social Services; and

(6) The Prince George's County Department of Family Services.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION MAY CONSTRUCT A SCHOOL FACILITY PLANNED FOR JOINT USE BY THE COUNTY BOARD AND A PUBLIC AGENCY LISTED IN SUBSECTION (C) OF THIS SECTION ON PROPERTY OWNED BY A PUBLIC AGENCY OTHER THAN THE COUNTY BOARD.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.~~

SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal years 1999 through 2002, in each year, the State shall provide ~~at least~~ $35 million for public

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school construction projects in Prince George's County and the Prince George's County government shall provide a minimum of $32 million for public school construction projects, and such additional funds as may be necessary to match the annual State appropriation for public school construction projects in Prince George's County. For fiscal years 2000 through 2002, the full level of State funding shall be contingent on future economic conditions and review and approval by the State Superintendent of Schools of the Prince George's County Board of Education's Comprehensive Plan described in the 1998 Memorandum of Understanding signed by the parties to Vaughns, et al. v. Board of Education of Prince George's County, et al. and submitted to the United States District Court.

SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 1999 through 2002, in each year, the State shall provide 75 percent of the eligible costs for up to $35 million in public school construction costs in Prince George's County. At least $20 million of the State funds must be spent each year on neighborhood school projects. For funding above $35 million, the State shall provide 60 percent of the eligible costs. Neighborhood school projects shall be identified by the Interagency Committee on Public School Construction and shall include new public schools and additions or improvements to existing public schools which serve students reassigned to their local communities based upon the Community Schools Education Plan developed by the Prince George's County Board of Education.

SECTION 4. AND BE IT FURTHER ENACTED, That prior to any school construction projects being released for bidding as a result of State funding in fiscal years 1999 through 2002, the Prince George's County Board of Education, the County Executive, and the County Council shall submit to the Interagency Committee on School Construction the most recent Community Schools Education Plan and the Prince George's County Board of Education Capital Improvement Program and a letter of endorsement of the plan and program. The Interagency Committee shall review the information submitted and determine which projects or portions thereof are justified and which qualify as neighborhood school projects. Prior to any approval from the Interagency Committee to release any projects for bidding, the educational programs and services proposed for each project shall be reviewed and approved by the State Superintendent of Schools for consistency with practices and strategies that result in improved student achievement and academic and social success.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section *and Section 6 of this Act*, this Act shall remain effective until June 30, 2002, and, at the end of June 30, 2002, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

(b) ~~As to school construction projects for which the construction contract has been approved by the Interagency Committee on School Construction on or before June 30, 2002, the provisions of § 5–301(h)(2) of the Education Article as enacted by this Act shall remain in effect for the duration of the contract~~ *Notwithstanding any other provision of this Act, § 5–307(d) of the Education Article as enacted by this Act*

shall remain in effect and shall not terminate without further action by the General Assembly.

SECTION 6. AND BE IT FURTHER ENACTED, That *except as provided in Section 5(b) of this Act, the provisions of this Act shall be null and void if any party to the Memorandum of Understanding in the case of Vaughns, et al. v. Board of Education of Prince George's County, et al. declares the Memorandum of Understanding null and void or if the District Judge of the United States District Court for the District of Maryland declares the Memorandum of Understanding null and void.*

SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved:

_____

Governor.

_____

Speaker of the House of Delegates.

_____

President of the Senate.

Appendix 3

HOUSE BILL 177

F1 8lr6129

By: **Chairman, Economic Matters Committee (Departmental - Education)**
Introduced and read first time: January 22, 1998
Assigned to: Economic Matters

A BILL ENTITLED

AN ACT concerning

Workers' Compensation - Students in Unpaid Work-Based Learning Experiences

FOR the purpose of providing workers' compensation coverage to students in certain work assignments; establishing the components of unpaid work-based learning experiences; describing the employer of students in certain situations for purposes of workers' compensation coverage; providing for the application of this Act; and generally relating to workers' compensation coverage for students in unpaid work assignments.

BY adding to
Article - Education
Section 7-113
Annotated Code of Maryland
(1997 Replacement Volume and 1997 Supplement)

BY repealing and reenacting, with amendments,
Article - Labor and Employment
Section 9-228
Annotated Code of Maryland
(1991 Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Education

7-113.

(A) IN THIS SECTION, "UNPAID WORK-BASED LEARNING EXPERIENCE" MEANS A PROGRAM THAT PROVIDES A STUDENT WITH STRUCTURED EMPLOYER-SUPERVISED LEARNING THAT:

(1) OCCURS IN THE WORKPLACE;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

(2) LINKS WITH CLASSROOM INSTRUCTION;

(3) IS COORDINATED BY A COUNTY BOARD OF EDUCATION; AND

(4) IS CONDUCTED IN ACCORDANCE WITH THE TERMS OF AN INDIVIDUAL WRITTEN WORK–BASED LEARNING AGREEMENT BETWEEN A COUNTY BOARD OF EDUCATION AND AN EMPLOYER FOR EACH PARTICIPATING STUDENT.

(B) A STUDENT WHO HAS BEEN PLACED WITH AN EMPLOYER IN AN UNPAID WORK–BASED LEARNING EXPERIENCE COORDINATED BY A COUNTY BOARD OF EDUCATION IS A COVERED EMPLOYEE, AS DEFINED IN TITLE 9 OF THE LABOR AND EMPLOYMENT ARTICLE, OF THE EMPLOYER FOR THE PURPOSES OF WORKERS' COMPENSATION.

(C) COMPENSATION FOR INJURY OR DEATH TO A STUDENT UNDER THIS SECTION SHALL BE BASED ON THE FEDERAL MINIMUM WAGE IN EFFECT AT THE TIME OF THE STUDENT'S INJURY TIMES THE AVERAGE NUMBER OF HOURS PER WEEK THE STUDENT SPENDS IN AN UNPAID WORK–BASED LEARNING EXPERIENCE.

(D) A COUNTY BOARD OF EDUCATION THAT PLACES A STUDENT WITH AN EMPLOYER IN AN UNPAID WORK–BASED LEARNING EXPERIENCE UNDER THIS SECTION MAY SECURE WORKERS' COMPENSATION COVERAGE FOR THAT STUDENT.

Article – Labor and Employment

9–228.

(a) (1) A handicapped student is a covered employee while working for an employer without wages in a work assignment in accordance with § 8–402 of the Education Article.

(2) For the purposes of this title, the employer for whom the handicapped student works is the employer of the handicapped student.

(b) (1) An individual is a covered employee while working as a student intern or student teacher under § 6–107 of the Education Article.

(2) For the purposes of this title, the NEW Board of School Commissioners of Baltimore City or the board of education for any other county is the employer of an individual who is a covered employee under this subsection in that county.

(C) (1) A STUDENT IS A COVERED EMPLOYEE WHEN THE STUDENT HAS BEEN PLACED WITH AN EMPLOYER IN AN UNPAID WORK–BASED LEARNING EXPERIENCE COORDINATED BY A COUNTY BOARD OF EDUCATION UNDER § 7–113 OF THE EDUCATION ARTICLE.

(2) FOR PURPOSES OF THIS TITLE, THE EMPLOYER FOR WHOM THE STUDENT WORKS IN THE UNPAID WORK–BASED LEARNING EXPERIENCE IS THE EMPLOYER OF THE STUDENT.

(3) COMPENSATION FOR INJURY OR DEATH TO A STUDENT UNDER THIS SUBSECTION SHALL BE BASED ON THE FEDERAL MINIMUM WAGE IN EFFECT AT THE TIME OF THE STUDENT'S INJURY TIMES THE AVERAGE NUMBER OF HOURS PER WEEK THE STUDENT SPENDS IN AN UNPAID WORK–BASED LEARNING EXPERIENCE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be applicable to students in unpaid work–based learning experiences, as defined by § 7–113 of the Education Article, as of the beginning of the 1998–1999 school year.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.

Appendix 4

HOUSE BILL 732

F2 8lr1070

By: **Delegate Rawlings**
Introduced and read first time: February 11, 1998
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Scholarship Program for Prospective Teachers

FOR the purpose of establishing a Scholarship Program for Prospective Teachers to be awarded by the State Scholarship Administration to certain individuals based on certain criteria; establishing the requirements for receiving and maintaining a scholarship under the Scholarship Program for Prospective Teachers; establishing certain criteria for awarding additional scholarship amounts; providing for the repayment of the scholarship under certain circumstances; defining a certain term; and generally relating to a Scholarship Program for Prospective Teachers to be awarded by the State Scholarship Administration.

BY adding to
Article – Education
Section 18–708
Annotated Code of Maryland
(1997 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

18–708.

(A) IN THIS SECTION, "AT–RISK CHILDREN" MEANS CHILDREN AT RISK OF ACADEMIC FAILURE DUE TO POVERTY OR LIMITED ENGLISH PROFICIENCY.

(B) THERE IS A SCHOLARSHIP PROGRAM FOR PROSPECTIVE TEACHERS, TO BE AWARDED BY THE ADMINISTRATION TO INDIVIDUALS COMMITTED TO TEACHING IN PUBLIC SCHOOLS IN THE STATE, FOR USE AT ACCREDITED PRIVATE OR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

(C) EACH RECIPIENT OF A SCHOLARSHIP AWARDED UNDER THIS SECTION SHALL:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets**]** indicate matter deleted from existing law.

(1) (I) HAVE COMPLETED HIGH SCHOOL WITH AN OVERALL ACADEMIC AVERAGE OF AT LEAST A C+ OR 75% OR AN EQUIVALENT GRADE POINT AVERAGE; OR

(II) HAVE FINISHED IN THE TOP 25% OF THE RECIPIENT'S HIGH SCHOOL CLASS; AND

(2) BE A RESIDENT OF MARYLAND AT THE TIME THE SCHOLARSHIP IS AWARDED.

(D) A SCHOLARSHIP AWARDED UNDER THIS SECTION:

(1) MAY BE USED FOR THE TUITION AND MANDATORY FEES AT AN ACCREDITED PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION IN THE STATE;

(2) MAY NOT EXCEED THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A FULL-TIME RESIDENT UNDERGRADUATE STUDENT AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK; AND

(3) MAY BE HELD AS LONG AS THE RECIPIENT:

(I) MAINTAINS AN OVERALL ACADEMIC AVERAGE OF AT LEAST A C+ OR 75% OR AN EQUIVALENT GRADE POINT AVERAGE; AND

(II) MAINTAINS AT LEAST A B AVERAGE OR AN EQUIVALENT GRADE POINT AVERAGE IN EDUCATION COURSES AFTER COMPLETION OF THE SOPHOMORE YEAR.

(E) FOLLOWING GRADUATION THE RECIPIENT OF A SCHOLARSHIP AWARDED UNDER THIS SECTION SHALL TEACH IN A PUBLIC SCHOOL IN THE STATE FOR A PERIOD OF AT LEAST 3 YEARS.

(F) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, A RECIPIENT OF AN AWARD UNDER THIS SECTION SHALL RECEIVE AN ADDITIONAL $1,000 FOR EACH YEAR IN WHICH THE RECIPIENT IS ELIGIBLE IF THE RECIPIENT SIGNS AN AGREEMENT WITH THE ADMINISTRATION AND THE STATE BOARD OF EDUCATION TO TEACH IN A PUBLIC SCHOOL IN THE STATE WITH A HIGH CONCENTRATION OF AT-RISK CHILDREN, AS DETERMINED BY THE STATE BOARD, FOR 3 YEARS.

(2) IF THE RECIPIENT DOES NOT FULFILL THE REQUIREMENTS IN PARAGRAPH (1) OF THIS SUBSECTION, THE ADDITIONAL SCHOLARSHIP AWARDED SHALL BE DEEMED A LOAN TO BE REPAID TO THE STATE BASED ON REPAYMENT TERMS ESTABLISHED BY THE ADMINISTRATION.

(3) THE ADDITIONAL SCHOLARSHIP AWARDED UNDER THIS SUBSECTION MAY NOT EXCEED THE COST OF ATTENDANCE AS DEFINED IN PARAGRAPH (D)(2) OF THIS SECTION.

(G) (1) IF THE RECIPIENT OF A SCHOLARSHIP AWARDED UNDER THIS SECTION DOES NOT TEACH IN A PUBLIC SCHOOL IN THE STATE FOR 3 YEARS, THE SCHOLARSHIP AWARDED SHALL BE DEEMED A LOAN TO BE REPAID TO THE STATE BASED ON REPAYMENT TERMS ESTABLISHED BY THE ADMINISTRATION.

(2) IF THE RECIPIENT TEACHES FOR ONLY A PORTION OF THE 3 YEARS, THE STATE SHALL PRORATE THE SCHOLARSHIP AWARDED TO REFLECT THE TIME THAT THE RECIPIENT TAUGHT IN A PUBLIC SCHOOL IN THE STATE AND THE REMAINING PORTION OF THE SCHOLARSHIP AWARDED SHALL BE DEEMED A LOAN TO BE REPAID TO THE STATE BASED ON REPAYMENT TERMS ESTABLISHED BY THE ADMINISTRATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.

Appendix 5

APPROACHES TO DETERMINING STUDENT ENROLLMENT AND DISTRIBUTING EDUCATION AID TO LOCAL SCHOOL SYSTEMS

PRESENTATION TO:

THE TASK FORCE ON EDUCATION FUNDING EQUITY, ACCOUNTABILITY, AND PARTNERSHIPS

NOVEMBER 12, 1997

Prepared by the Maryland State Department of Education

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EXECUTIVE SUMMARY

INTRODUCTION:

In August, 1996, the Office of Legislative Audits issued a report on a performance audit they had conducted of the Maryland State Department of Education (MSDE). Among the auditors findings was one which stated that the "method of distributing basic current expense aid (enrollment) does not provide financial incentive to encourage attendance" and further stated that this was a "policy issue". The auditor's comments included a recommendation that the Department consider fostering legislation to distribute basic current expense aid to LEAs based upon average daily attendance (ADA). The Department responded that it would research and evaluate other states experiences with implementing alternative methods of distributing aid to local school systems. As a result this report has been prepared.

BACKGROUND:

States use a wide variety of methods to distribute aid to local school systems. In fact, no two states fund education in exactly the same way, as each state attempts to allocate funds to meet its perceived educational needs.

Most states divide their aid to education into two types; basic support aid and categorical aid. Categorical aid must be spent on a specific, identified, educational need such as special education, compensatory education, and vocational education. It may or may not require a local contribution.

Basic support aid is the main component of most state's education financing. It is a general purpose aid that is to be spent on the day-to-day operations of the school district. Basic support aid is designed to equalize the distribution of aid in direct relationship with educational need and inversely to local ability to pay: that is, the greater the perceived educational need of the district, the more aid it will receive compared to districts with less need; and the greater the ability of a district to finance education, the less aid it will receive compared to districts with lower ability.[1] In Maryland, the allocation of basic support aid (state share of basic current expense), is based upon a formula that incorporates enrollment size and a local jurisdiction's taxable wealth. The remainder of this report will focus on basic support aid and enrollment size.

Most states use one of three methods to define the size of student population; enrollment (ENR), average daily attendance (ADA), or average daily membership (ADM).

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1 American Education Finance Association and the Center for the Study of the States, Public School Finance Programs of the United States and Canada, 1993-1994

DEFINITIONS: METHODS OF DETERMINING STUDENT POPULATION SIZE:

Descriptions of each method, perceived benefits, and concerns for each method follow.

Enrollment (ENR):
Enrollment is based upon the number of students in membership, that is, the aggregate number of students present and absent on a particular day. This is the method used in Maryland in accordance with the Education Article, Section 5-202 of the Annotated Code of Maryland. Enrollment is calculated based upon the number of students enrolled on September 30 each year.

Benefits:

- Currently being utilized; no changes required

Concerns:

- Measures student population at only one point in time
- Ability to manipulate data related to student population

Average Daily Membership (ADM):
The average daily membership is based upon the sum of the days present and absent of all students when school is in session. It is the most common method utilized for determining the size of student populations.

Benefits:

- Level of state aid remains relatively constant
- Measures student population during the entire year, rather than at one point in time
- Local school systems currently provide MSDE with data needed for calculation

Concerns:

- Will affect timing of budget calculations. Current statute provides for the use of the September 30 enrollment count of the previous school year for calculation of basic current expense. ADM would require the use of data from the second previous school year, as average data would not yet be available for the first previous school year at the time the basic current expense needs to be calculated to be included in the budget.

Average Daily Attendance (ADA):
The average daily attendance for a given year is based on the aggregate number of enrolled students who are present in school each day of the September to June school year. The percent average daily attendance is determined by dividing the aggregate number of students in attendance by the aggregate number of students in membership for the September to June school year.[2]

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[2] Source: Guide for Defining the Data-Base Areas By Local School Systems, Maryland School Performance Program, Part II, Maryland State Department of Education, Revised February, 1997

Benefits:

- Provides a financial incentive for local school systems to encourage improved attendance
- Measures student population during the entire year, rather than at one point in time
- Local school systems currently provide MSDE with data needed for calculation

Concerns:

- Reduces aid to all local school systems
- Increases reduction in aid to those local school systems with the highest absentee rates
- Will affect timing of budget calculations (see explanation for ADM above)

SURVEY OF APPROACHES UTILIZED:

The Department conducted a survey of 25 states and the District of Columbia (DC) to determine approaches used to count students and methods utilized for verification of reported numbers. Of those queried, 20 states and DC responded.

Approaches Utilized To Count Students:

All of the survey respondents use some type of student count as the basis for allocation of funds, as follows:

Allocation Base	
ENR	10 States
ADA	4 States
ADM	7 States

Verification of Reported Students:

Of the 21 respondents, 18 required some type of audit or verification of the allocation base. The resources dedicated to the verification process varied greatly. Audits were conducted by either independent CPA firms (4 states), state government auditors (7 states), or state education department auditors (8 states). Most of the states adjusted aid in subsequent years as the result of audit findings. A few states used statistical sampling for selecting samples to be tested, but none of the states surveyed extrapolated audit results to the entire student population.

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CONCLUSION:

Based upon printed research and the Department's survey, each methods above poses its own benefits and concerns. Discussions with other states indicate that some states have not changed their method or discussed changing their method for decades. Other states responded that their method of counting students was constantly challenged and was a recurring issue. These comments were consistent, regardless of the method being used.

The legislative auditors' recommendation that the Department consider a change in method to ADA infers that there is a correlation between providing local school systems with a financial incentive to improve attendance rates and an actual increase in attendance rates. Because other states seldom alter their method of determining enrollment, it was not possible to verify or refute this assumption from existing data. A change to ADA financially benefits school systems with high attendance rates and reduces aid to those systems with low attendance rates. However, it is reasonable to conclude that more resources are required to increase attendance rates of truant students than are required to maintain attendance rates of students who are present in school regularly.

Using ADM as a method of determining enrollment also provides school systems with a financial incentive to keep students in school. Transitioning to this method would result in less dramatic shifts of resources from school systems with high concentrations of disadvantaged students than would transitioning to ADA.

INTRODUCTION:

In August, 1996, the Office of Legislative Audits issued a report on a performance audit they had conducted of the Maryland State Department of Education (MSDE). One of the objectives of the audit was to evaluate the methods used to distribute aid to local education agencies (LEAs). Among the auditors findings was one which stated that the "method of distributing basic current expense aid (enrollment) does not provide financial incentive to encourage attendance" and further stated that this was a "policy issue". The auditor's found:

- The enrollment method (ENR) is not representative of the actual student population that attends school during the entire academic year, but rather, focuses on the size of the population at one point in time (September 30) as the basis for distributing funds to the LEAs. As a result, LEAs have a financial incentive to encourage student attendance for only a brief period of the year. There is no financial incentive for LEAs to encourage student attendance subsequent to September 30.

- The impact of using ADA in lieu of ENR and determined that aid was provided to LEAs for students that had absentee rates in excess of the State standard acceptable rate of 6%. Calculations disclosed that in fiscal year 1996, the State share of aid distributed to LEAs applicable to absenteeism in excess of the State's standard acceptable absentee rate of 6% was $28.3 million.

- ENR assumes that the students enrolled on September 30 will attend school for the entire year, which is not the case in certain LEAs. Based upon the standard acceptable absentee rate of 6%, 11 LEAs met the standard while 13 LEAs did not.

- The distribution of aid based on ADA appears to be more equitable than ENR and provides financial incentives to LEAs to initiate efforts that are effective in improving student attendance. It would also help ensure that State and local subdivisions are paying for educational services that are actually being provided to students

- The use of ADA would not significantly impact the total amount of funds distributed to the LEAs, however, the amount of funding distributed to each LEA would change.

The auditors recommended that the Department consider fostering legislation to distribute basic current expense aid to LEAs based upon ADA and that, if such legislation is enacted, it should be determined if additional funds should be provided to applicable LEAs to assist their efforts to reduce high student absenteeism.

The Department responded that it would research and evaluate other states experiences with implementing alternative methods of distributing aid to local school systems. As a result this report has been prepared.

BACKGROUND:

States use a wide variety of methods to distribute aid to local school systems. In fact, no two states fund education in exactly the same way, as each state attempts to allocate funds to meet it's perceived educational needs.

Most states can divide their aid to education into two types; basic support aid and categorical aid. Categorical aid must be spent on a specific, identified, educational need such as special education, compensatory education, and vocational education. It may or may not require a local contribution.

Basic support aid is the main component of most state's education financing. It is a general purpose aid that is to be spent on the day-to-day operations of the school district. Basic support aid is designed to equalize the distribution of aid in direct relationship with educational need and inversely to local ability to pay: that is, the greater the perceived educational need of the district, the more aid it will receive compared to districts with less need; and the greater the ability of a district to finance education, the less aid it will receive compared to districts with lower ability.[3] In Maryland, the allocation of basic support aid (state share of basic current expense), is based upon a formula that incorporates enrollment size and a local jurisdiction's taxable wealth. The remainder of this report will focus on basic support aid and enrollment size.

Most states use one of three methods to define the size of student population; enrollment (ENR), average daily attendance (ADA), or average daily membership (ADM).

DEFINITIONS: METHODS OF DETERMINING STUDENT POPULATION SIZE:

The most recent research we found related to the determination of student population size is based upon the 1993-94 school year. At that time 22 states were using average daily membership(ADM), 12 states were using enrollment at a particular date (ENR), and 7 states were using average daily attendance (ADA) to determine the size of student population. Descriptions of each of these methods, perceived benefits and concerns for each method, and the effect on the size of student population and ranking of changing from ENR to either ADM or ADA follows.

Enrollment (ENR):

Enrollment is based upon the number of students in membership, that is, the aggregate number of students present and absent on a particular day. This is the method used in Maryland in accordance with the Education Article, Section 5-202 of the Annotated Code of Maryland. Enrollment is calculated based upon the number of students enrolled on September 30 each year.

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[3] American Education Finance Association and the Center for the Study of the States, Public School Finance Programs of the United States and Canada, 1993-1994

In order for a student to be included in the September 30 student enrollment count, the student must:

a. Be between the ages of 5 and 21
b. Be enrolled in a school program
c. Be present at least one day in September and not marked withdrawn on or before September 30
d. Be a bona fide resident of the State of Maryland
e. Have proof of receiving age appropriate immunizations

Benefits:

- Currently being utilized; no changes required

Concerns:

- A measure of student population at only one point in time
- Ability to manipulate data related to student population

Average Daily Membership (ADM):

The average daily membership is based upon the sum of the days present and absent of all students when school is in session. It is the most common method utilized for determining the size of student populations.

Using ADM instead of ENR reduces total student population statewide by approximately .6%. Changes in the size of student population for each local school system vary from an increase of 19% (Baltimore County) to a decrease of 2.64% (Charles County). (See Appendix A).

The size of the student population in each jurisdiction remains at the same ranking as the current method. (See Appendix B).

Formula for ADM:

Aggregate Number of Days Attending and Absent	÷	Number of Days Schools Were Open	=	Average Daily Membership

Benefits:

- Level of state aid remains relatively constant
- Measures student population during the entire year, rather than at one point in time
- Local school systems currently provide MSDE with data needed for calculation

Concerns:

- Will affect timing of budget calculations

Average Daily Attendance (ADA):

The average daily attendance for a given year is based on the aggregate number of enrolled students who are present in school each day of the September to June school year. The percent average daily attendance is determined by dividing the aggregate number of students in attendance by the aggregate number of students in membership for the September to June school year.[4]

When compared to the method currently used (ENR), total student population statewide is reduced by approximately 7.2%. Changes in the size of student population for each local school system vary from a decrease of 4.43% (Howard County) to a decrease of 12.45% (Baltimore City). Other jurisdictions that would experience a significant decrease in the size of student population include Charles County (-8.85%), Prince George's County (-8.04%) and Somerset County (-7.67%) (See Appendix A for a complete listing).

The size of the student population in each jurisdiction remains at the same ranking as the current method, with the exception of Montgomery County (which increases from the second largest to the largest student population) and Prince George's County (which decreases from the largest student population to the second largest student population). (See Appendix B)

Formula for ADA:

Aggregate Number of Days Attending	÷	Number of Days Schools Were Open	=	Average Daily Attendance

Benefits:

- Provides a financial incentive for local school systems to encourage improved attendance
- Measures student population during the entire year, rather than at one point in time
- Local school systems currently provide MSDE with data needed for calculation

Concerns:

- Reduces enrollment size in all local school systems
- Increases reduction in aid to those local school systems with the highest absentee rates
- Will affect timing of budget calculations (see explanation for ADM, above)

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[4] Source: Guide for Defining the Data-Base Areas By Local School Systems, Maryland School PerformanceProgram, PartII, Maryland State Department of Education, Revised February, 1997

SURVEY OF APPROACHES UTILIZED:

The Department conducted a survey of 25 states and the District of Columbia (DC) to determine approaches used to count students and methods utilized for verification of reported numbers. Of those queried, 20 states and DC responded.

Approaches Utilized To Count Students:

All of the survey respondents use some type of student count as the basis for allocation of funds, as follows:

Allocation Base	
ENR	10 States
ADA	4 States
ADM	7 States

Of the 21 respondents, 3 had changed methods since 1993-94; one from ADM to ENR, one from ADM to ADA, and one from instructional units to ENR.

Verification of Reported Students:

Of the 21 respondents, 18 required some type of audit or verification of the allocation base. The exceptions were New Hampshire, Vermont, and North Carolina. New Hampshire and Vermont monitor the consistency of reported enrollment. Unexpected fluctuations are audited or verified for correctness. North Carolina audits school district expenditures, but not the number of reported students.

The resources dedicated to the verification process varied greatly. Audits were conducted by either independent CPA firms (4 states), state government auditors (7 states), or state education department auditors (8 states). Most of the states adjusted aid in subsequent years as the result of audit findings. A few states used statistical sampling for selecting samples to be tested, but none of the states surveyed extrapolated audit results to the entire student population.

CONCLUSION:

Based upon printed research and the Department's survey, each methods above poses its own benefits and concerns. Discussions with other states indicate that some states have not changed their method or discussed changing their method for decades. Other states responded that their method of counting students was constantly challenged and was a recurring issue. These comments were consistent, regardless of the method being used.

The legislative auditors' recommendation that the Department consider a change in method to ADA infers that there is a correlation between providing local school systems with a financial incentive to improve attendance rates and an actual increase in attendance rates. Because other states seldom alter their method of determining enrollment, it was not possible to verify or refute this assumption from existing data. A change to ADA financially benefits school systems with high attendance rates and reduces aid to those systems with low attendance rates. However, it is reasonable to conclude that more resources are required to increase attendance rates of truant students than are required to maintain attendance rates of students who are present in school regularly.

Using ADM as a method of determining enrollment also provides school systems with a financial incentive to keep students in school. Transitioning to this method would result in less dramatic shifts of resources from school systems with high concentrations of disadvantaged students than would transitioning to ADA.

MARYLAND STATE DEPARTMENT OF EDUCATION

COMPARISON: % INCREASE/DECREASE IN STUDENT POPULATION

1995-96

1995-96	Enrollment	ADA	ADM	ENROLLMENT TO ADA	ENROLLMENT TO ADM
STATE	805,544.0	747,468.4	800,810.4	-7.21%	-0.61%
Allegany	11,300.0	10,692.8	11,235.3	-5.38%	-0.57%
Anne Arundel	71,383.0	66,270.9	69,835.5	-7.16%	-2.17%
Baltimore City	109,980.0	96,288.5	110,160.5	-12.45%	0.16%
Baltimore County	101,564.0	95,992.5	101,757.9	-5.49%	0.19%
Calvert	13,496.0	12,729.8	13,397.6	-5.68%	-0.73%
Caroline	5,521.0	5,196.7	5,479.1	-5.87%	-0.76%
Carroll	25,408.0	24,165.8	25,390.9	-4.89%	-0.07%
Cecil	14,640.0	13,590.2	14,451.4	-7.17%	-1.29%
Charles	20,966.0	19,109.7	20,413.4	-8.85%	-2.64%
Dorchester	5,216.0	4,898.1	5,174.4	-6.09%	-0.80%
Frederick	32,766.0	30,868.6	32,778.9	-5.79%	0.04%
Garrett	5,190.0	4,873.1	5,107.4	-6.11%	-1.59%
Harford	36,820.0	34,656.5	36,461.2	-5.88%	-0.97%
Howard	37,547.0	35,884.8	37,514.2	-4.43%	-0.09%
Kent	2,863.0	2,660.6	2,836.4	-7.07%	-0.93%
Montgomery	120,291.0	113,221.2	119,830.0	-5.88%	-0.36%
Prince George's	122,415.0	112,567.9	121,327.2	-8.04%	-0.89%
Queen Anne's	6,271.0	5,900.7	6,253.2	-5.90%	-0.26%
St. Mary's	13,950.0	12,962.6	13,730.9	-7.08%	-1.57%
Somerset	3,277.0	3,025.6	3,221.8	-7.67%	-1.68%
Talbot	4,427.0	4,150.0	4,379.6	-6.26%	-1.07%
Washington	19,824.0	18,750.7	19,617.0	-5.41%	-1.04%
Wicomico	13,796.0	12,817.4	13,701.8	-7.09%	-0.68%
Worcester	6,633.0	6,193.9	6,554.8	-6.62%	-1.18%

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Appendix A

MARYLAND STATE DEPARTMENT OF EDUCATION
RANKING IN SIZE OF STUDENT POPULATION
1995-96

1995-96	Enrollment	ADA	ADM	Enrollment	ADA	ADM
STATE	805,544.0	747,468.4	800,610.4			
Allegany	11,300.0	10,692.6	11,235.3	16	16	16
Anne Arundel	71,383.0	66,270.9	69,835.5	5	5	5
Baltimore City	109,980.0	96,288.5	110,160.5	3	3	3
Baltimore County	101,564.0	95,992.5	101,757.9	4	4	4
Calvert	13,496.0	12,729.8	13,397.6	15	15	15
Caroline	5,521.0	5,196.7	5,479.1	19	19	19
Carroll	25,408.0	24,165.8	25,390.9	9	9	9
Cecil	14,640.0	13,590.2	14,451.4	12	12	12
Charles	20,966.0	19,109.7	20,413.4	10	10	10
Dorchester	5,216.0	4,898.1	5,174.4	20	20	20
Frederick	32,766.0	30,868.6	32,778.9	8	8	8
Garrett	5,190.0	4,873.1	5,107.4	21	21	21
Harford	36,820.0	34,656.5	36,461.2	7	7	7
Howard	37,547.0	35,884.8	37,514.2	6	6	6
Kent	2,863.0	2,660.6	2,836.4	24	24	24
Montgomery	120,291.0	113,221.2	119,830.0	2	1	2
Prince George's	122,415.0	112,567.9	121,327.2	1	2	1
Queen Anne's	6,271.0	5,900.7	6,253.2	18	18	18
St. Mary's	13,950.0	12,962.6	13,730.9	13	13	13
Somerset	3,277.0	3,025.6	3,221.8	23	23	23
Talbot	4,427.0	4,150.0	4,379.6	22	22	22
Washington	19,824.0	18,750.7	19,617.0	11	11	11
Wicomico	13,796.0	12,817.4	13,701.8	14	14	14
Worcester	6,633.0	6,193.9	6,554.8	17	17	17

Appendix 6

TASK FORCE ON EDUCATION FUNDING EQUITY, ACCOUNTABILITY AND PARTNERSHIPS

SUMMARY OF RECOMMENDATIONS AND RESPONSES

by the Maryland State Department of Education

Recommendations 1 - 15 are addressed in House Bill 1. Mr. Hiram Burch gave this overview to the Task Force along with an explanation of the fiscal note (see Attachment).

In addition, Dr. Yale Stenzler provided the following information on the status of Recommendation 5 and 11 and 16 through 18 as they pertain to the Public School Construction Program. The Maryland State Department of Education has responded to Recommendations 19 through 38.

Recommendation 5 - Expand Extended Elementary Education Program by an additional 24 sites statewide and increase the level of funding for 204.5 existing sites. (Extended Elementary Education Program - pg. 54)

State funds are available through the Public School Construction Program for renovations and/or additions to provide classroom space for pre-Kindergarten programs.

Recommendation 11 - Endorses MSDE's concern with the Prince George's County Board of Education's Community School Education Plan. (Prince George's County Public School Proposals - pg. 62)

HB 657 provides for the State Superintendent of Schools to review and approve each school construction project for consistency with practices and strategies that result in improved student achievement and academic and social success before they are released for bidding.

Recommendation 16 - Task force notes that after reviewing the needs of Prince George's County for school construction, Dr. Stenzler concluded that annual requests of $25 million to $35 million from Prince George's County would not be unreasonable. (School Construction - pg 70)

The Board of Public Works on May 13, 1998 approved a total of $35 million for school construction projects in Prince George's County for FY 1999, with $20,101,000 allocated to neighborhood school projects.

Recommendation 16a - Task force endorses $100 million for school construction in fiscal 1999, an increase of $59 million in PayGo funds over the amount previously indicated, and an amount supported by the Governor, House leadership, and county executives. (School Construction - pg. 69)

The Board of Public Works on May 13, 1998 approved a total of $225 million for the Public School Construction Capital Improvement Program for Fiscal Year 1999. Funding is from the following sources: new bond authorization - $129.5 million, "pay-go" funds - $88.5 million, and reallocated from the Public School Construction Program Statewide Contingency Account - $7 million.

Recommendation 17 - Establish the Supplemental Aging School Program. (School Construction - pg 73)

HB 1/SB 171 provides $6,020,000 as supplemental funding to the $4,350,000 provided under SB 795 (1997 legislative session) for the Aging School Program. For FY 1999 through FY 2002 State funding in the amount of $10,370,000 will be provided for the Aging School Program administered by the Interagency Committee on School Construction. Applications for funding for FY 1999 are being processed.

Recommendation 18 - Supports the concept of multiple usage of schools and libraries.

Requests the Interagency Committee on School Construction to report back to the task force with recommendations for the promotion of multiple use of local facilities (School Construction - pg. 75)

The Board of Public Works on May 13, 1998 approved an amendment to the Rules, Regulation, and Procedures which increases the State's commitment to encourage cooperative arrangements in public school buildings. It also provides for State funding through the Public School Construction Program of up to 3,000 square feet of space to support recreational, health, and other community programs to serve school children and other community members. The Interagency Committee on School Construction is developing a questionnaire that will be distributed to each school system and library system to gather information pertaining to cooperative arrangements.

Recommendation 19 – The Task Force endorses MSDE moving forward with regulatory proposals to address provisional teacher certification issues. (Certification and Mentoring of Teachers - pg. 76)

The State Board has granted permission to publish proposed changes to address issues regarding provisional certificates. The State Board and the Professional Standards and Teacher Education Board will render a final decision on proposed changes at their respective regular meetings in June 1998.

Recommendation 20 – MSDE should establish a statewide comprehensive program to address the large number of teachers with provisional certification. (Certification and Mentoring of Teachers - pg. 76)

House Bill 1 (page 8, lines 17-21) provides funding to support provisional teacher certification and teacher development initiatives in Prince George's County ($2,500,000) and Statewide ($500,000). The bill requires the State Superintendent to establish guidelines and criteria that will be used to distribute funds. The Department is working to develop those guidelines.

Recommendation 21 – The State Scholarship Administration should evaluate reestablishing the tuition scholarship program for candidates to become teachers in Maryland public schools. (Certification and Mentoring of Teachers - pg. 76)

House Bill 732 - *Scholarship Program for Prospective Teachers* failed during the 1998 session of the Maryland General Assembly. MSDE will support legislation relative to this recommendation in the 1999 session of the Maryland General Assembly.

Recommendation 22 – Each local school system should consider implementing a teaching mentoring program. (Certification and Mentoring of Teachers - pg. 79)

House Bill 1 (page 5, lines 31-38) provides funding to support a pilot teacher mentoring program in Baltimore County ($5,000,000). Information about this pilot program will be shared with other school systems. Also, House Bill 1 provides $2,000,000 for Prince George's County to establish a teacher mentoring program. The House and Senate Budget Committee Chairmen have requested this funding for FY 1999. The Maryland State Department of Education will be requesting a FY 1999 deficiency appropriation.

Recommendation 23 – Supports continued advocacy and State support for professional development initiatives and requests that MSDE study the professional development issues raised by the Task Force and report its recommendations to the Task Force by June 1, 1998. (Professional Development - pg. 80)

In 1996, the State Board of Education endorsed a plan for professional development proposed by the MBRT. As part of that plan Regional Professional Development Networks would be designed to "implement effective professional practices linked to improved student performance." The Networks also meet the expectation set out in the plan that "state funded professional development initiatives include measures of program quality, improved classroom practice and improved student achievement." The FY 1999 grants to support the Networks support implementing the Core Learning Goals/Skills for Success at the high school level and improved K-8 instruction. Grant proposals also target areas such as: Special Education, Title I, Safe and Drug-Free Schools, and Career Connections.

Recommendation 24 – MSDE should convene a study group to examine the process of evaluating professionally certificated personnel and the feasibility of linking the performance of principals to the performance of their schools and the performance of teachers to the performance of their students. (Professionally Certificated Personnel Accountability for Student Performance - pg. 81)

Baltimore City, Baltimore County, and Anne Arundel County are pursuing efforts to link performance-based evaluation. MSDE will monitor these efforts for possible statewide use. MSDE Specialist Jennie Pilato and State Board Members Ed Andrews and Buzz Bartlett are collaborating with the Maryland State Teachers Association as MSTA develops its peer assistance and review initiative.

Recommendation 25 – MSDE should create a study group to examine the issues surrounding financial accountability and report its recommendations to the Task Force after the 1998 legislative session. (Financial Accountability - pg. 82)

The Department is examining the issue of financial accountability and is considering incorporating this study group into a current committee that is looking at student enrollments. As performance audits occur, MSDE will update the General Assembly.

Recommendation 26 – The Governor and the General Assembly should continue to publicly support the Maryland School Performance Program (MSPP) and provide financial resources for the program to ensure adequate funding. (Maryland School Performance Program - pg. 83)

Such support continues. Funding has enabled MSDE to, in part, improve its parent and community outreach for MSPAP by providing pamphlets, brochures, posters, a toll free line, a web site, review panels, displays, presentations, and display materials. In addition, the legislature agreed to provide $200 million in SAFE aid to improve the performance of at-risk students. The legislature also provided additional funding to the Department of Education this session to ensure the technology and staff needed to more effectively use testing data.

Recommendation 27 – MSDE should seek assurances from each local education agency (LEA) that the school system is taking action to improve low performing schools that are continuing to decline on MSPP performance indicators. (Maryland School Performance Program - pg. 83)

The Department of Education is focusing its resources and efforts on school performance improvements. Comprehensive school planning, with the cooperation of the USDE, allows schools and school systems to plan for better use of state, federal, and local funds.

Recommendation 28 – MSDE should expand regulations to require local school systems to use MSPP data to guide school level change in school improvement plans. In addition, MSDE should require each LEA to report the overall system report card to its citizens and ensure that each school provide copies of its MSPP report card to the parents and guardians of the school's students. (Maryland School Performance Program - pg. 83)

Current regulations require schools to use MSPP data and other information about schools to develop school improvement plans, and that school improvement teams include school and community membership. Current regulations also require school systems and individual schools to release MSPP report cards to parents and community and make reports widely available.

Recommendation 29 – MSDE should develop regulations requiring all schools, not just reconstitution eligible schools, to evaluate their school improvement plans on an annual basis. In addition, local school systems should target resources to schools to meet the needs identified in school improvement plans. (Maryland School Performance Program - pg. 84)

State guidelines provide for each school improvement plan to cover one year and build on previous plans. Thus, school improvement teams are required to evaluate the previous year's plan in order to write the current plan. State guidelines emphasize the role of the school system in supporting individual school improvement through staff development and resource management. Each school improvement plan includes descriptions of school system support. Local schools and school systems currently use MSPP data in funding allocation decisions.

Recommendation 30 – Task Force believes that MSDE needs additional funding in order to provide the necessary support for school improvement to the local school systems. Adequate resources should also be provided to the department to implement the Internet technology that is being designed by MSDE and the University System of Maryland. (Maryland School Performance Program - pg. 84)

MSDE is using the Fiscal Year 1999 technology budget enhancement to upgrade its technology infrastructure, including:

- **Acquisition and installation of new technology to manage information and to create an education data warehouse to access current and future data collections,**
- **Installation of component upgrades to increase network performance and availability,**
- **Development of training programs to provide technology staff with current skills, and**
- **Recruitment of additional technology staff to support school improvement initiatives.**

The final result of this 5-year technology effort will be an integrated system in which MSDE education data can be made available to school improvement stakeholders, much via the Internet. The Maryland State Department of Education also has opened a new site on the World Wide Web that brings information about Maryland public education and other department services into homes and libraries via the Internet.

Recommendation 31 – Use private-sector expertise to evaluate local school system's administrative, logistical, and planning processes. (Partnerships - pg. 87)

Local school systems currently have numerous adopt-a-school and program partnerships with corporations. This recommendation encourages a more comprehensive partnership with businesses to lend expertise to management and administrative areas of local school systems. Cecil County is currently developing a plan to work with nearby corporations in strategic teacher staff development. Maryland's Partnership Development Team of LEA partnership coordinators will assist in disseminating information about these efforts statewide. Currently, the Maryland Business Roundtable has business partnerships with approximately 38 schools in 7 local jurisdictions.

Recommendation 32 – Encourage each local school system to identify a corporate education specialist or partnership coordinator to facilitate the development of public/private partnership. (Partnerships - pg. 88)

The Maryland State Department of Education coordinates and provides leadership to local and state partnerships. The Department is currently identifying local staff in each LEA with part-time and/or full-time partnership responsibility to further encourage these partnerships on the local level.

Recommendation 33 – Encourage private-sector employees to work as teaching assistants to provide additional classroom assistance to students. (Partnerships - pg. 90)

The Maryland State Department of Education is considering a teaching opportunities information brochure to be distributed to private corporations through the Maryland Business Roundtable for Education and other corporate organizations. This project provides business expertise and works with the School Improvement Teams to development and implement their strategic plans.

Recommendation 34 – Produce a ten-year technology and workforce assessment of the skills needed by high school graduates to succeed in the workplace of the future. (Partnerships - pg. 92)

Several surveys have been conducted to assess the technology and workforce skills needed by high school graduates to succeed in the workplace of the future:

- ***Maryland Connected for Learning*: Technology in Maryland Schools Program is the state's initiative for bringing Internet connections and the latest computer technology to Maryland's public schools.**

- **The Maryland Plan for Technology Education, developed by the Maryland Blue Ribbon Committee on Technology in Education, proscribes a vision of technology in Maryland education and a strategy to realize this vision by 2003.**

- **The first MSDE baseline technology inventory was conducted in October, 1995. A second survey was completed in April, 1998 and will be published after the State Board of Education has reviewed the survey results.**

- **The Maryland Employers' Workforce Skills Development and Workforce Preparedness Survey was conducted by the Maryland Business Research Partnership in 1997. Businesses considered improving the available pool of qualified applicants to be the most important item to be considered by state government. The next study will be conducted in 1999.**

Recommendation 35 – Identify a private-sector partner to develop and manage a web page of private-sector continuing education programs available at no cost to teachers and school administrators. (Partnerships - pg. 94)

Maryland's Partnership Team of LEA partnership coordinators and the Maryland State Department of Education will discuss the feasibility of this concept with principals, teachers, and employers to see if corporate professional development offerings would be useful and of interest to educators. Reverse offerings of educator staff development to private sector will also be investigated.

Recommendation 36 – Establish an annual statewide forum for educators and business leaders to showcase ideas for developing partnerships. (Partnerships - pg. 95)

In previous years, the Maryland Association of Partners in Education and the Maryland Business Roundtable have sponsored an annual conference on partnership development. With the discontinuation of this conference, the Maryland State Department of Education and Bell Atlantic are now discussing a *What Works in Partnerships Forum,* to showcase partnership development and implementation ideas and their differences in educational improvement.

Recommendation 37 – Enhance the role of the Teacher of the Year by providing additional opportunities for the person. (Partnerships - pg. 96)

The current program does not release Maryland's Teacher of the Year from the classroom but does involve the Teacher of the Year in many presentations and workshops throughout the year. The honoree's school system pays for substitute teachers and the Maryland Business Roundtable pays for travel expenses. The idea of having the Teacher of the Year or a Milken Education Award winner serving as a Teacher in Residence and education consultant to the State Board and to teachers across the State is currently under consideration.

Recommendation 38 – Supports legislation amending the Workers' Compensation Act to apply to students who engage in unpaid learning experiences. (Partnerships - pg. 97)

House Bill 177 was introduced during this legislative session in a effort to provide workers' compensation coverage for students in unpaid work-based learning experiences. House Bill 177 was amended near the end of session to require local boards of education to pay for worker's compensation coverage. This became an unfunded mandate for local boards of education and the bill failed in the House Economic Matters Committee.

- **MSDE recommends that a representative group including legislators, convene this summer to develop a strategy for introducing, passing, and enacting legislation to address employer-perceived barriers to providing unpaid work-based learning experiences for students.**